

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JUNE 17, 2015 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,
Utah 84078.

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

WELCOME: Mayor Sonja Norton welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: An invocation was given by Councilmember Clark.

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

APPROVAL OF MINUTES OF JUNE 3, 2015 REGULAR MEETING:
Councilmember Dave Everett moved to approve the minutes of June 3, 2015. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott, and Clark voting in favor for a unanimous vote.

REQUEST FOR SPONSORSHIP OF 4TH OF JULY FIREWORKS – ELKS CLUB: Ken Bassett explained that Mr. Jim Lekas approached the City last year for financial assistance for the 4th of July fireworks show. The Elks Club has been funding the main display for Vernal for years and are finding it hard to continue. The City provided \$4000 last year, and the County matched that amount. The Elks Club is asking for financial help again this year. *Councilmember Ted Munford moved to approve \$4000 for the fireworks display for the 4th of July. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR SPONSORSHIP OF 11 YEAR OLD ALL STAR TOURNAMENT - KAM POPE: Kam Pope, representing the Vernal Youth Baseball, stated that once again the Vernal Youth Baseball Association has been chosen to host the 11-year old South Pacific Regional Allstar tournament with teams from Utah, Nevada, Hawaii, and California. The event kicks off on July 18th through the next Saturday. The projected cost to host this tournament is \$25,000. Councilmember Munford asked Mr. Pope to provide a financial statement after the event. Mr. Pope invited the Council to the opening barbeque to meet the teams on Sunday at 5 pm. After further discussion, *Councilmember Bert Clark moved to sponsor the all star tournament in the amount of \$2500. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

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

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD JUNE 17, 2015

GROW YOUR OWN SCHOLARSHIP BOARD REQUEST FOR FUNDING - KEVIN REMINGTON:

Kevin Remington, a member of the Utah State University Uintah Basin Scholarship Board, explained that a supplementary scholarship fund has been set up called “Grow Your Own” scholarship. This purpose of this scholarship focuses on helping local, future teachers to finish their schooling by paying a student for that last semester of college that requires student teaching. The student signs a waiver that they will not work outside of student teaching, so they have no outside income and work for free while still paying tuition and monthly bills. Many students going through the education program stop at this point because they cannot afford to quit their jobs. As the community grows, more teachers are needed every year. Mr. Remington displayed a short video on this program. A fund raising event is scheduled for June 25th at Western Park, and Mr. Remington requested the City participate in that event by hosting a table. The cost for one table is \$700 and includes dinner and tickets to the play. Councilmember Ted Munford asked why the students are required to quit their job. Kevin Remington stated it is to help the students commit 100% to learning what they need to do that semester. They are paired with a teacher and make great progress to move into their own classroom. He stated that the scholarship is \$2000 a semester for each student. Councilmember Dave Everett asked how many students have been through the program. Mr. Remington answered there are five students this year. During the open house for next year there are 30 possible students. Laura Foley stated they are hoping to cover two semesters this year. Ken Bassett reminded the Council that the City has a special fund for education to support Utah State University and Uintah Basin Applied Technology College. This program is one that will not only help these students in education, but also promote them to stay here in Vernal City and work here if the jobs are available. He stated that if the Council is interested in supporting USU in this way, that the funds go toward sponsoring the dinner rather than one student. Laura Foley stated that is a generous idea although they already have a sponsor that covers those costs, however they would make it work. Mayor Norton agreed the Council has to be careful how the funds are used. After further discussion, *Councilmember Dave Everett moved to sponsor the fundraising dinner in the amount of \$1400. Councilmember Ted Munford seconded the motion.*

The motion passed with the following roll call vote:

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

REQUEST FOR APPROVAL OF MINOR SUBDIVISION FOR CRAIG REESE - 514 & 536 WEST ROBINWOOD LANE:

Allan Mashburn, neighboring property owner, stated it was his understanding that Mayor Norton’s real estate company listed the property being discussed. He requested the Mayor recuse herself from this discussion due to any potential financial conflict. Mayor Norton stated her business is out of the picture now. Ken Bassett confirmed that any time the Council or Mayor has a potential conflict, they can publicly express their conflict. However, there is no requirement to recuse themselves from the discussion or decision. Councilmember Ted Munford asked what the conflict is. Mayor Norton stated she owned the lots

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD JUNE 17, 2015

being discussed and an agent in her office sold the lots to the Reese's to develop, although the Norton's still have a partial ownership. Mayor Norton asked why both lots are shown as only one lot is being split. Allen Parker explained that the lot fronting Robinwood Lane is on the plat for a public utility easement on the bottom side of the property for the power utility. Mayor Norton declared she does have a conflict of interest with this issue and will recuse herself from the discussion. Mayor Norton exited the room.

SELECTION OF MAYOR PRO TEMPORE:

Councilmember Ted Munford moved to select Samantha Scott as the Mayor Pro Tempore for this item. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott and Clark voting in favor.

Allen Parker explained that the City received an application to divide two lot into three lots. The Planning Commission considered this request and is forwarding a positive recommendation. Each lot is one acre and the utility easement will not affect the dimensions. The second parcel has been excavated to build a home although no concrete has been poured yet. The setback for that structure has been inspected, and all setbacks are correct. The request is to split parcel two into two ½ acre lots. Ken Bassett asked if parcel 2 and 3 will front on 500 West. Allen Parker answered one parcel will face 500 West and one will face Robinwood Lane. The addresses will be given to the parcels if it is subdivided. This request complies with City code, however there is one question that needs to be answered by the surveyor which does not affect the plat.

Allan Mashburn questioned the way this item was listed on the agenda which made him think only two lots would be platted. He voiced his opposition to this request as it does not match the neighborhood. He asked the Council to decline the request. Ken Bassett clarified that the agenda gave the addresses of the existing lots that are being considered to be subdivided, even though one lot is actually not being affected. Allen Parker stated the third lot has not been created yet so it does not have an address. Both lots were included on the agenda as listed on the plat. Ken Bassett voiced his opinion that the agenda and notices have meet all the requirements of law. He stated the City Attorney can review it. Councilmember Ted Munford stated he respects the comments being made. This request to split this property meets the legal requirements, and the Council does not have a good reason to decline it. Ken Bassett explained that periodically the City receives a planning and zoning change request which the neighbors do not agree with, but from a technical standpoint, meets the requirements of the City, leaving the Council no choice except to approve it. *Councilmember Ted Munford moved to approve the subdivision split with all corrections by engineers and surveyors. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Clark and Scott voting in favor.*

Mayor Norton resumed her position to conduct the meeting.

REQUEST FOR APPROVAL FINAL PLAT FOR GARDNER SPLIT MOUNTAIN VILLAGE - 256 EAST 600 SOUTH: Allen Parker explained that this plat came before the

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD JUNE 17, 2015

Council back in October. The developers had 90 days to record the plat and they missed that deadline. The plat is being presented, again, in almost an identical fashion. However, the engineers still need to figure out what to do with the roadway and waterline. The setbacks have also been changed to meet the new requirements of the City. Councilmember Bert Clark stated the first two phases required water retention and receptacles for trash containers. The residents are leaving the garbage cans on the street. Also, there is no room for recreational vehicles in this phase. Ken Bassett stated the code enforcement officer will address the garbage can concern. Allen Parker stated the water retention is in a central location for all three phases and drains into a common sump. Councilmember Clark asked if there is access for snow removal. Allen Parker answered yes, and stated the main road will be handled by the Street Department. The internal roads must be handled by the developer. Ken Bassett stated the City has laws against plowing snow into the roadway of the City. Mayor Norton stated that the homeowners association can be asked to send reminders out for both trash collection and snow removal. Allen Parker noted that the road will connect to Vernal Avenue. Mayor Norton declared a conflict of interest as her brokerage firm has represented units in this development. *Councilmember Dave Everett moved to approve the final plat for Phase 3 of Split Mountain Village with corrections by staff. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Everett, Clark, Scott and Munford voting in favor.*

LEASE AGREEMENT WITH WHITE HOUSE ACADEMY - ANNALIESE WHITE:

Stephanie Hardman and Annaliese White, representing White House Academy, explained that they have been leasing City property for a private school. The school only operates nine-months out of the year and is tuition based. Last year the City agreed to allow them to provide community service rather than pay rent in the summer. Stephanie Hardman asked the Council to consider renewing that proposal again this year waiving the rental fee for the entire three months in the summer instead of 2 ½ months. Councilmember Ted Munford stated they have been good tenants, and it seems cumbersome to make them come to the meeting each year. He suggested as an alternative, the annual rent be lowered by that amount. Ken Bassett asked if they would be willing to enter into a multi-year agreement. Annaliese White stated the current lease is a one year renewable agreement, and they have no plans on moving. Ken Bassett stated the agreement will have a clause to terminate with proper notice. Councilmember Dave Everett asked if this proposal will need to be approved by the school’s Board. Annaliese White answered yes. Councilmember Munford suggested at least a 2-year lease. Annaliese White answered she thought the Board would be comfortable with 3-years. *Councilmember Ted Munford moved to adjust the lease agreement to calculate 3 full months off the rent for a 12-month agreement for multi-years. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR APPROVAL OF RESOLUTION NO. 2015-10 SUPPORTING HOUSE

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD JUNE 17, 2015

BILL 362, TRANSPORTATION SALES TAX: Ken Bassett explained that during the course of the last Legislative session, a lot of effort went into getting House Bill 362 passed. The bill has two components including a gas tax increase and a .25% sales tax optional increase approved by the tax payers, with the allocation being .10% to cities, .10% to transit and .05% to the County. Councilmember Clark clarified that the Salt Lake Chamber and Transportation Coalition will be doing a media campaign for this proposition to be on the ballot. Mayor Norton agreed and stated that it is her hope the public understands the need for this bill and why it was passed. Local governments have a huge deficit with road funding, and keeping up with the maintenance is getting harder to harder. This resolution shows the City's support of this bill to Uintah County to put this on the ballot for the November election. Ken Bassett stated Uintah County indicated they are willing to put this proposition on the ballot. Local government cannot use tax payer dollars to campaign for this issue. He noted that the City will need to implement a storm drainage program in the near future which is going to be expensive, and these funds could be used for that purpose. Councilmember Clark suggested those projects be added to the City's one-year and five-year project list. Ken Bassett agreed. *Councilmember Bert Clark moved to approve Resolution No. 2015-10 HB362 for the transportation sales tax. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote;*

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

REQUEST FOR APPROVAL OF FY2016 BUDGET - ORDINANCE NO. 2015-14: Ken Bassett explained that the City has received another month of information from the State Tax Commission which shows a significant decrease in sales tax for March. The staff recommended reducing that tax by 5% before finalizing the FY2016 budget which will reduce the unappropriated fund balance. Another item is the \$200,000 for the police vehicles lease which can be taken from the equipment fund rather than the general fund. Councilmember Clark stated that the Sewer Management Board is not receiving as much dump fees from the oil and gas companies, and that reduction may affect the City. Ken Bassett stated that will be adjusted upon notification by the Sewer Management Board. *Councilmember Bert Clark moved to approve Ordinance No. 2015-14 with the corrections noted. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

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

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD JUNE 17, 2015

ADMINISTRATIVE REPORTS:

FY2015 Budget Reopener:

Ken Bassett asked the Council to be available on Wednesday, June 24th at 4 p.m. to go over the FY2015 budget.

Vernal Excitement:

Councilmember Scott reminded the Council that the Vernal Excitement will be hosting an evening event every Thursday night through July. Councilmember Everett stated he has attended and found them very enjoyable.

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.

Mayor Sonja Norton

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)