

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JULY 15, 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 Mayor Sonja Norton.

PLEDGE OF ALLEGIANCE: The pledge of Allegiance was led by Councilmember Dave Everett.

APPROVAL OF THE MINUTES OF JUNE 17, 2015 REGULAR MEETING:
Councilmember Ted Munford moved to approve the minutes of June 17, 2015. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott, and Clark voting in favor for a unanimous vote.

APPROVAL OF THE MINUTES OF JUNE 24, 2015 SPECIAL MEETING:
Councilmember Dave Everett moved to approve the minutes of June 24, 2015. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott, and Clark voting in favor for a unanimous vote.

INTRODUCTION OF NEW POLICE OFFICER, DALLON COLLOM - CHIEF DYLAN ROOKS: Chief Dylan Rooks introduced new police officer, Dallon Collom, to the Council and Mayor. He explained that Mr. Collom was working for the Sheriff's office in the jail and has completed the field training successfully making the transition to street patrol. The Council and Mayor welcomed Mr. Collom to Vernal City employment.

INTRODUCTION OF NEW PUBLIC WORKS EMPLOYEES, BJ PARTRIDGE & BRANDON MURRAY - MICHAEL LEIGH: Mike Leigh introduced two new employees, BJ Partridge and Brandon Murray. Brandon Murray stated that he grew up in Vernal, and is excited to be here with his wife and two daughters. He is working in the parks department and helps take care of the flowers on Main Street. BJ Partridge stated he also was raised in Vernal and has a boy and twins and is thankful for the job with the City. The Mayor and Council welcomed Brandon and BJ to the City.

100 NORTH PARKING LOT REPAVING PROJECT REQUEST TO AWARD CONTRACT: Ken Bassett explained that the parking lot, owned by the City, located behind the Sage Motel needs an overlay and bids were solicited for this work. Three bids were received with the low bid submitted by R. Chapman Construction in the amount of \$22,640.75 which is within budget. Mayor Norton voiced her surprise on the difference in the bids. After discussion, Councilmember Bert Clark moved to award the bid for the repaving project to the low bidder, R. Chapman Construction in the amount of \$22,640.75. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

PUBLIC HEARING: REQUEST FROM GLENNA SCOTT TO REZONE PROPERTY LOCATED AT 1109 WEST 500 SOUTH (RAW LAND) FROM RA-1 (RESIDENTIAL / AGRICULTURAL) TO CP-2(COMMERCIAL) - ORDINANCE NO. 2015-18:

Councilmember Samantha Scott declared that she had a conflict with this item as her mother is the property owner, and recused herself from the discussion. Allen Parker brought the Council’s attention to the next three items, which all require a public hearing and have the same property address. He explained that although there are two separate parcels being discussed, Uintah County has the same address of 1109 West 500 South for both properties. If the Council approves these requests, the addresses will be corrected on the plats.

Mr. Parker explained that the property belonging to Glenna Scott is 3.15 acres next to the tire store, and she is requesting to rezone the property from RA-1 residential to CP-2 commercial. The property to the north of this parcel is commercial as well and the request complies with the general plan. The Planning Commission reviewed this request and is forwarding a positive recommendation. Councilmember Munford asked why the entire parcel that is currently zoned residential is not included in the rezone. Ms. Glenna Scott explained that 1/10th of an acre was sold for the right-of-way for the traffic light. Ken Bassett agreed and stated that he would get with the property owner to rezone that small parcel. Councilmember Clark asked what would happen with the irrigation ditch to the south. Allen Parker stated the gulch is not on this property and will remain. Mayor Norton asked if the gulch goes underground. Allen Parker showed the elected officials on the map where the irrigation pipe and gulch are located. Mayor Norton questioned if the general plan map designated 500 South as high density. Allen Parker answered there is a commercial bubble along the 500 South corridor. Councilmember Everett asked what the intended use is for this property. Glenna Scott stated she does not have any plans, however the parcel is for sale. Mayor Norton opened the public hearing. Councilmember Dave Everett asked how the neighboring property owners felt about having commercial on both sides of their home. Cindy Shope, neighboring property owner, stated they are ok with the rezone request and hope any commercial business will purchase their property as well. There being no further public comments, the hearing was closed. Councilmember Ted Munford moved to approve Ordinance No. 2015-18, rezoning property belonging to Glenna Scott on 500 South. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

PUBLIC HEARING: REQUEST TO SUBDIVIDE PROPERTY LOCATED AT 1109 WEST 500 SOUTH (RAW GROUND) FROM JASON AND JEANNE LEWIS:

Allen Parker explained this is the parcel of property to the east shown on the map on 500 South Street, and the property owner is requesting to split the 3 acre parcel into a 1 acre and a 2 acre lots. The parcel with one acre is on the west and the two acre parcel is on the east. The Planning Commission reviewed

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this request and is forwarding a positive recommendation. Councilmember Munford clarified that the rezone request is for both parcels to a commercial zone. Allen Parker answered yes. Councilmember Munford asked why the middle property with the home on it is not included in the rezone requests. Mayor Norton stated that it would end up being a non-conforming use at it has a residential structure on it and would be taxed at a higher rate for commercial. Mayor Norton opened the public hearing. Allen Parker stated there were a few questions regarding this request at the Planning Commission meeting mostly dealing with fencing and the irrigation canal. There were no further public comments and the hearing was closed. Councilmember Ted Munford moved to approve the subdivision request from Jason and Jeanne Lewis. Councilmember Dave Everett seconded the motion. The motion passed with Councilmember Munford, Everett, Scott and Clark voting in favor.

PUBLIC HEARING: REQUEST FROM JASON AND JEANNE LEWIS TO REZONE PROPERTY LOCATED AT 1109 WEST 500 SOUTH (RAW LAND) FROM RA-1 (RESIDENTIAL / AGRICULTURAL) TO CP-2(COMMERCIAL) - ORDINANCE NO 2015-17: Mayor Norton opened the public hearing to rezone property at 1109 West 500 South that was just subdivided into two parcels. Allen Parker stated that all three acres are included in the rezone request, and the surrounding zones include commercial to the north, mobile home park to the south, and residential to the east. Councilmember Munford asked what is planned to be developed on this property if it is rezoned. Jeannie Lewis stated they own a health supplement business and recently purchased Freedom Fitness which they plan on combining on this property along with a smoothie bar. The building will have a nice architectural exterior to fit the area. Cindy Shope asked if Freedom Fitness will be open 24 hours a day. Jeannie Lewis answered yes. Cindy Shope then asked if they plan on having security cameras. Jeannie Lewis stated they will have security. Allen Parker suggested Mrs. Shope contact him in the next few weeks to look at the site plan as there will not be any further public hearings to look at the development. There being no further comments, the public hearing was closed. Councilmember Dave Everett moved to approve Ordinance No. 2015-17 to rezone this property from RA-1 to CP-2. 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.

PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE: CHAPTER 16.14 - CONDITIONAL USES - ORDINANCE NO. 2015-11: Allen Parker explained that the staff discovered an error in the way this Ordinance was initially passed a short time ago. The content of the code did not change, simply the formatting. However, one item does need to be corrected in Section 16.14.030 which requires the Planning Commission to review a conditional use request at its next meeting. If the request is submitted to close to the meeting date, it may be difficult to get it on the agenda. Councilmember Clark asked why this Ordinance is revoking City Council review. Allen Parker stated that it made sense to have the Planning Commission revoke a conditional use permit as they are the body that approves them. Councilmember Clark stated that the City Council can override their

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recommendation. Mayor Norton stated that the elected officials should at least be notified if a permit is revoked. She asked if the property owner can appeal the revocation. Allen Parker stated it can be appealed to the hearing officer and then to court. There being no further public comments, the public hearing was closed. Councilmember Bert Clark moved to approve Ordinance No. 2015-11 with the revocation of any conditional use permit being brought to the City Council for review as well as the Planning Commission. 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.

PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE: SECTIONS 16.22.040 - NON-COMPLIANCE, AND 5.04.050 - ASSISTANT LICENSE INSPECTORS - ORDINANCE NO. 2015-16:

Allen Parker explained that this Ordinance has two sections dealing with different titles of the municipal code. The section in Title 16 requires a public hearing and a recommendation from the Planning Commission while the section in the business license code does not. The main purpose of this Ordinance is to delegate duties to the code enforcement officer to inspect for business license violations rather than having the police department or building official conduct those inspections. Councilmember Clark stated that the code needs to refer to him or her as the code enforcement officer. Ken Bassett noted that anytime the City considers revoking a business license, there is a specific process that must be followed including having that business owner come before the Council. This Ordinance needs to add language to code Section 16.22.040 to require any revocation of a home occupation license to be in accordance with the business license code. Mayor Norton opened the public hearing for Ordinance No. 2015-16. There being no public comments, the hearing was closed. Councilmember Ted Munford moved to approve Ordinance No. 2015-16 with the addition of language to the home occupation section as presented. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:

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

ADMINISTRATIVE REPORTS:

Business signs:

Councilmember Ted Munford stated he has been working on getting a new sign for his business and has found the process very cumbersome and expensive where even a small sign must have an engineer draft it. He stated that with the City trying to encourage economic growth, these types of requirements are hampering small businesses. Allen Parker stated he would have the building official look at the requirements of the International Building Code to see if there is anything that can be done.

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Joint City / County Meeting:

Ken Bassett reminded the Council of the joint City / County meeting scheduled for Monday at 3:30 p.m. Councilmember Bert Clark asked Ken to add off-premises parking adjacent to the Western Park to the agenda as he has received complaints that people are blocking driveways during large events scheduled there. Ken Bassett stated this happens throughout the City and the residents need to contact the police department.

Energy Summit:

Ken Bassett reminded the Council that the Uintah Basin Energy Summit is scheduled for September 10th at the conference center. Councilmember Clark and Mayor Norton indicated they would at least attend the luncheon.

Utah League of Cities and Towns Conference:

Ken Bassett explained the ULCT conference is scheduled for September 16th through the 18th and registration will open soon. Councilmember Munford, Everett, Clark, and Scott and Mayor Norton all indicated they would be attending. Councilmember Clark indicated JoAnn Cowan would also attend.

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)