

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
JUNE 19, 2019 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,  
Utah 84078.

**PRESENT:** Councilmembers Travis Allan, Samantha Scott, Dave Everett and Bert Clark and Mayor Doug Hammond. Councilmember Ted Munford was excused.

**WELCOME:** Mayor Doug Hammond welcomed everyone to the meeting.

**INVOCATION OR UPLIFTING THOUGHT:** The invocation was given by Councilmember Bert Clark.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Samantha Scott.

**APPROVAL OF CITY COUNCIL MINUTES OF JUNE 5, 2019:** *Councilmember Samantha Scott moved to approve the minutes of June 5, 2019. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Allan, Everett, Scott and Clark voting in favor.*

**TAP AWARD PRESENTATION FROM UTAH LOCAL GOVERNMENTS TRUST - DOUG FOLSOM:** Doug Folsom, loss prevention manager for Utah Local Governments Trust, explained that Vernal City is receiving the TAP award for 2018 which stands for the trust accountability program. This program started 6 years ago to help with risk management and safety and the requirements take significant effort by the staff to qualify. The benefit to the City is a 4% discount in insurance premiums and a cash award of \$5000. He extended his congratulations to all and his appreciation for the partnership with the City and elected officials. Mr. Folsom stated that only about 20% of their members qualified for this award. Mayor Doug Hammond accepted the award for the City and thanked Mr. Folsom for his presentation and the staff for their work.

**REQUEST FOR SPONSORSHIP OF THE ANNUAL 4<sup>TH</sup> OF JULY FIREWORKS DISPLAY - VERNAL ELKS LODGE:** Quinn Bennion explained that the Elks Lodge submitted an application for sponsorship of the annual fireworks display. Councilmember Travis Allan asked that they be notified in the future to attend the meeting. *Councilmember Dave Everett moved to approve the \$3000 sponsorship for the fireworks display. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott .....aye;*  
*Councilmember Clark.....aye.*

**PUBLIC HEARING: APPLICATION TO THE COMMUNITY IMPACT BOARD FOR GENERAL PLAN UPDATE MATCHING GRANT:** Quinn Bennion explained that a requirement of the CIB grant / loan program is to hold a public hearing to receive feedback from

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residents. Initially the update to the general plan was going to be completed by the Planning Commission when it was realized that engineering would be needed for the transportation portion of the plan. The Community Impact Board provides a grant that is a 50/50 match for planning projects. The City will provide \$10,000 from the general fund and \$5,000 from the Active and Healthy Committee fund for a total of \$15,000 and the grant request is for \$15,000. The CIB changed the process for planning grants under \$50,000. An application is sent in and reviewed by the AOG. Finally it is forwarded to the Governor's office to the rural planning group. They rank the application to see if it meets all the criteria. This project is primarily to update the transportation, streets and the affordable housing sections of the general plan. Mr. Bennion noted that if the grant is not approved, this update will not be completed. There will be no loans or bonds issued for this planning grant. Mayor Doug Hammond opened the public hearing. There were no public comments and the public hearing was closed.

**PUBLIC HEARING: APPLICATION TO THE COMMUNITY IMPACT BOARD FOR THE WATER SYSTEM MASTER PLAN MATCHING GRANT:** Quinn Bennion explained that this is another planning grant request through the Community Impact Board and also requires a 50/50 match. The City's utility fund will pay \$40,000 and the City is seeking \$40,000 from the CIB. The City's engineer, Keith Despain, drafted the application for the City. One reason for requesting this grant now is to coordinate with Ashley Valley Water and Sewer who is also doing an upgrade to their general plan. He noted that it is important to coordinate with them since the systems are connected. Mayor Doug Hammond opened the public hearing. Councilmember Bert Clark asked if this water master plan will include the area up the canyon. Keith Despain stated that the plan include the entire system starting at the spring and de-sander. One of the first questions will be how can that structure be improved. There is approximately five miles of water line that was recently replaced and it is anticipated that it will not need any repairs. He noted that the plan will also look at the City's water rights and projected growth for the next twenty years. Councilmember Clark asked if this will include the water tanks. Keith answered that it will include the ten million gallon tank. He stated the plan will cover from the source to the tap. Quinn Bennion noted that if this grant is not awarded, the City will not be able to do this project. Councilmember Bert Clark asked what the time line is for this project. Quinn Bennion stated that the City will know by July 1<sup>st</sup> if this grant is awarded and the project will begin in July. There will be no loans or bonds issued for this planning grant. There being no further comments, the public hearing was closed.

**REQUEST FOR APPROVAL OF AMENDMENT TO THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES: USE OF PUBLIC PROPERTY - RESOLUTION NO. 2019-12:** Quinn Bennion explained that the employee policy manual needs to be updated in response to changes in State law through House Bill 163. The Utah State Legislature decided that they would go fairly far on the use of public property for personal use. This policy allows incidental use while recognizing the primary use is for City business and government. The State law went way extreme deeming that no use is allowed and it is a 3<sup>rd</sup> degree felony unless the City has a specific policy. The Utah League of Cities and Towns suggests that any policy be really clear where that line is for incidental use. This policy was

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drafted by the City Attorney and allows items such as an employee using a laptop or City computer to check their personal e-mail. Further, Quinn explained that this policy has a section for the police officers separate from other City employees. If an employee is commuting using a City vehicle, it needs to be within 15 miles and can be used occasionally to drop off a family member, or run small errands. Also, the cost to print or make a copy will be ten cents per page as long as it is not excessive. The sanction for misuse is also spelled out in this policy. If the amount is less than 1000 is a Class B misdemeanor, less than \$5000 a Class A misdemeanor, and higher than that a felony. The reason for these limits is to match State law for the dollar limits on theft. *After further discussion, Councilmember Travis Allan moved to approve Resolution No. 2019-12 as presented. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott .....aye;*  
*Councilmember Clark.....aye.*

**REQUEST FOR APPROVAL OF AMENDMENT TO THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES: AUDIO, VIDEO RECORDING & PHOTOGRAPHY POLICY - RESOLUTION NO. 2019-02:**

Quinn Bennion explained that this policy was drafted a few months ago by the City Attorney and has been reviewed by the department heads with a few changes being made. The City found it necessary to draft this policy for the Council’s consideration after two former employees used considerable work time recording conversations or taking pictures. The main focus of this policy is to create a work environment where there is trust and employees feel comfortable having conversations and no fear of being recorded without their knowledge. Also, this policy identifies who owns the records if they are produced on City time and City equipment. Councilmember Bert Clark asked when it becomes toxic and who identifies it as inappropriate. Quinn Bennion stated the policy tries to outline what is acceptable and what is not acceptable, however, it is hard to come up with every situation that may arise. He noted that there are some exceptions such as law enforcement using body cams or open meetings. Councilmember Bert Clark asked what will happen if they record against this policy. Quinn Bennion answered that there are sanctions and disciplinary action will be conducted. He suggested that Section 10 be added to the policy allowing recordings as directed by a supervisor to document work product. This may be necessary to make it clear pictures can be taken to show what is happening. He reiterated that any recording, video or pictures taken on city time, city premises, city equipment, or city property by an employee become the property of Vernal City. *After further discussion, Councilmember Bert Clark moved to approve Resolution No. 2019-02 with the new section as recommended. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott .....aye;*  
*Councilmember Clark.....aye.*

**REQUEST FOR APPROVAL OF ATTORNEY SERVICES CONTRACTS - QUINN BENNION:**

Quinn Bennion explained that the City Attorney contract is the same cost as last year with the addition of a cost for secretarial work at an hourly wage. The prosecutor contract is actually decreased based on the case load. *Councilmember Travis Allan moved to approve the City Attorney contract as presented. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott .....aye;*  
*Councilmember Clark.....aye.*

*Councilmember Travis Allan moved to approve the contract with the City prosecutor as presented. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Allan .....aye;*  
*Councilmember Everett .....aye;*  
*Councilmember Scott .....aye;*  
*Councilmember Clark.....aye.*

**UPDATE ON BTA BENCH PROJECT:** Quinn Bennion explained that a resident, Bobby Oosteven saw the need for benches when his family saw people sitting on the curb or in the dirt waiting for the bus. A committee was formed to solve this issue and businesses were invited to participate. Enough money was raised to make 15 benches and Bentley Welding is fabricating them. The BTA is providing 3 shelters for key areas. A local business, Endeavor, soon to be Marathon, is providing 10 concrete pads and a boy scout is doing 5 of the pads for the benches. The time frame is to begin installation by the end of next month. The Council thanked Mr. Bennion for the update.

**ADMINISTRATIVE REPORTS:**

Sewer Board:

Councilmember Bert Clark explained that the sewer treatment plant is seeing a lot of infiltration and is asking the entities for help in locating where this problem is coming from. There is one area in the City at 350 West 600 North and they have asked the City crews to check that area often to prevent any leakage. Ashley Valley is struggling with irrigation water

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Code Enforcement:

Councilmember Samantha Scott stated that there are properties for sale and the weeds are too tall. She asked if the City can contact the owners or real estate agents to get them cleaned up. Quinn Bennion stated that letters are being sent to the property owners to clean them up. He stated that a meeting is scheduled with the Administrative Committee to and talk about code enforcement and how aggressive to be.

Pipeline Project:

Quinn Bennion explained that there is a project in Oregon that would have significant impact on the economy in the Uintah Basin called the Jordan Cove project. The pipeline that leaves here carries natural gas and ends near the Oregon border. If it is connected another 120 miles to the port, the gas would be compressed and transported to the Asian markets, mostly to China. The Regulatory Commission is holding hearings and getting feedback and several officials from our area are on their way to those meetings. Also, they are asking for letters of support. The consensus of the Council was to send letters of support for this project.

Budget meeting:

Quinn Bennion reminded the Council there would be a special meeting next Wednesday for the second budget reopener and no meeting on July 3<sup>rd</sup>.

**ADJOURN:** There being no further business; Councilmember Samantha Scott moved to adjourn. Councilmember Travis Allan seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.

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Mayor Doug Hammond

ATTEST:

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Roxanne Behunin, Deputy Recorder

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