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Council Meeting

February 4, 2015

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NOTICE OF PUBLIC MEETING

TO THE PUBLIC AND RESIDENTS OF VERNAL CITY: Notice is hereby given that the **VERNAL CITY COUNCIL** will hold a regular meeting on **Wednesday, February 4, 2015 at 7:00 p.m.** in the Vernal City Council Chambers at 374 East Main St, Vernal, Utah.

A G E N D A

7:00 p.m.

OPENING CEREMONY

1. Welcome
2. Invocation or Uplifting Thought
3. Pledge of Allegiance

STANDING BUSINESS

1. Approval of Minutes of January 21, 2015 Regular Meeting

PUBLIC BUSINESS

1. "Come to Vernal" Website - Financial Contribution Request - Mayor Norton

7:15 p.m.

PUBLIC HEARINGS

1. Request to Amend the Vernal City Municipal Code – Adding Section 16.04.022 – Animal Boarding, Adding Section 16.04.187 – Dwelling, Caretaker, and Amending Section 16.48.030 – Uses – Ordinance No. 2015-02 – Allen Parker
2. Request to Amend the Vernal City Municipal Code – Section 16.44.040 – Minimum Area Requirements, Section 16.44.050 – Minimum Width Requirements, and Section 16.44.060 – Setback Requirements – Ordinance No. 2015-03 - Allen Parker

POLICY & LEGISLATION

1. Request for Amendment to the Vernal City Charges for Services - Adjustments to Residential Garbage Rates - Resolution No. 2015-04 - Ken Bassett
2. Request for Amendment to the Vernal City Personnel Policies and Procedures - Possession of Fire Arms - Resolution No. 2015-03 - Ken Bassett

ADMINISTRATIVE REPORTS

- | | |
|---------------------------------|--------------------------|
| 1. Uintah Impact Mitigation SSD | 3. Uintah Recreation SSD |
| 2. Public Safety | 4. Uintah Health SSD |

ADJOURN

NOTE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Ken Bassett at 374 East Main, Vernal, Utah 84078 or phone (435) 789-2255 at least three days before the meeting.

February 3, 2015

MEMORANDUM

TO: Mayor & City Council

FROM: Ken Bassett, City Manager

RE: *Agenda Items of February 4, 2015 Council Meeting.*

PUBLIC BUSINESS

1. "Come to Vernal" Website - Financial Contribution Request - Mayor Norton: Recently I received from the Vernal Chamber of Commerce a financial contribution request for a video website called "Come to Vernal." The purpose of this website is to simply provide information to both tourists and businesses to show all the advantages and assets that we have in our area. It is my understanding that the Chamber of Commerce contracted with VTV for the production of this website and video. The cost was actually more than anticipated. Mayor Norton will explain the project to the Council a little more. Also, we will have for the Council's benefit the actual website on-line during the Council meeting. If you would like to see this website, simply Google "Come to Vernal" and you will immediately see the website with all the attached videos. It is my understanding that the total project cost approximately \$20,000. The Chamber of Commerce is requesting \$3000 from Vernal City.

PUBLIC HEARINGS

- 1. Request to Amend the Vernal City Municipal Code, Adding Sections for Animal Boarding, Dwelling, Caretaker, and Use Table - Ordinance No. 2015-02 - Allen Parker:**
- 2. Request to Amend the Vernal City Municipal Code, Chapter 16.44 - R-4 Residential Zone - Ordinance No. 2015-03 - Allen Parker:** Allen Parker will explain these two ordinances which have been reviewed by the Planning Commission. Please refer to your binders.

POLICY & LEGISLATION

- 1. Request for Amendment to the Vernal City Charges for Services - Adjustments to Residential Garbage Rates - Resolution No. 2015-04 - Ken Bassett:** I provided to you some information from RDT, our current residential garbage contractor. They have indicated, and I have confirmed from Uintah County, that they have increased the landfill rates effective March of this year. The rate increase for RDT and any other hauler would be approximately 33% per ton going from \$15 a ton to \$20 a ton. After calculating the annual tonnage of garbage hauled from Vernal City, I determined that the per can cost for this increase would be 41 cents per can per month for each residence of the City. This cost would include the first can as well as 41 cents for each additional can which any residence might have. As I mentioned in the document provided in your binder, the current contract with

RDT does provide for the adjustment to be made if Uintah County does raise their landfill fees.

I have also provided a resolution which would increase the billing fees for our residents that are included in the water bills.

2. **Request for Amendment to the Vernal City Personnel Policies and Procedures - Possession of Fire Arms - Resolution No. 2015-03 - Ken Bassett:** In your packet I have provided for you an amendment to the personnel policies and procedures specifically dealing with causes for disciplinary action. This particular change relates to the possession of firearms or explosives. Simply what I have done is indicated that the possession of firearms on Vernal City premises or worksites is not permitted unless specifically allowed by State or federal law. Presently an employee could, with a concealed weapons permit, carry a weapon on the worksite. However a State permit is required. My feeling with this minor change in our personnel policies and procedures is that because the State of Utah and potentially in the future the federal government legislates what is allowed or is not allowed, the best way to approach this is simply by referring to State and federal legislation that would trump anything that we did at a local level.

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 Everett..... aye;
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:

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 21, 2015**

48 Allen Parker explained that this is another request to divide property. However, this is an
49 unusual request to split off a portion of the front of a 1/4 acre lot in a commercial zone. Most
50 subdivision requests are in residential zones where there are specific standards required for the
51 development of a lot. In commercial zones there are no specific dimensional requirements so the
52 property can be adapted to fit the business use. In this case, the front section of the lot will be
53 transferred to the Orr family so they can maintain the memorial that has been placed on that land.
54 Councilmember Munford asked if this request met all City requirements. Allen Parker answered
55 that it does, and the Planning Commission is forwarding a positive recommendation. One
56 question is whether the three lots to the south have access from the frontage road as it is not
57 known if there is an easement or only a descriptive easement. Councilmember Cowan noted
58 there is better visibility on Main Street for this memorial; however, the Orr family may be more
59 comfortable having it closer to the park where benches etc. can be placed to honor their family
60 member. Mayor Norton stated that the memorial was moved from Jensen due to vandalism, but
61 the State recently made all families remove crosses along the highway that were in the public
62 right-of-way. Councilmember Cowan stated this would be an issue if it were on public land.
63 After further discussion, Councilmember Ted Munford moved to approve the subdivision for
64 1407 West Highway 40 for the Orr Family Memorial. Councilmember Dave Everett seconded
65 the motion. The motion passed with the following roll call vote:

66 *Councilmember Munford*..... aye;
67 *Councilmember Cowan*..... aye;
68 *Councilmember Everett*..... aye;
69 *Councilmember Scott*..... aye;
70 *Councilmember Clark*..... aye.

71
72 **PUBLIC HEARING: REQUEST FOR APPROVAL TO CONSIDER AMENDING THE**
73 **VERNAL CITY MUNICIPAL PLANNING & ZONING CODE – SECTION 16.24.060 –**
74 **FLAG LOTS PERMITTED – ORDINANCE NO. 2015-01:** Allen Parker reminded the Council
75 that there was a discrepancy in the City Code pertaining to flag lots. When a subdivision is
76 platted, the frontage for each lot must meet a minimum standard. Presently if a flag lot is platted,
77 there is no minimum width for the main body of the lot. The Council asked the Planning
78 Commission to review the dimensions for a flag lot so there would be a standard lot size for
79 development. Ordinance No. 2015-01 adds language to the City code that makes it clear that all
80 dimensional requirements pertain to all lots – flag or otherwise. The Planning Commission
81 looked at this issue and is recommending approval of Ordinance No. 2015-01. Councilmember
82 Clark asked if a fire hydrant only has to be within 250 feet of the access to a flag lot. Allen Parker
83 explained that the fire marshal looks at the placement of the structures for the location of a fire
84 hydrant. Mayor Norton asked if the leg of the flag lot has a maximum length before it opens up.
85 Allen Parker stated there is no specific standard and developers can be creative how they plat the
86 lots. This ordinance does require a lot to be dimensionally buildable. Councilmember Clark
87 asked what the minimum width is for the entrance of a flag lot. Allen Parker stated it must be 25
88 feet wide. Mayor Norton opened the public hearing and asked for input. Councilmember
89 Cowan explained the definition of a flag lot and why someone would want to develop one. There
90 were no public comments and the public hearing was closed. Councilmember Dave Everett
91 moved to approve Ordinance No. 2015-01. Councilmember Samantha Scott seconded the
92 motion. The motion passed with the following roll call vote:

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 21, 2015**

- 93 *Councilmember Munford*..... *aye;*
- 94 *Councilmember Cowan*..... *aye;*
- 95 *Councilmember Everett*..... *aye;*
- 96 *Councilmember Scott*..... *aye;*
- 97 *Councilmember Clark*..... *aye.*

98
99

100 **REQUEST FOR APPROVAL TO CONSIDER AMENDING THE VERNAL CITY**
101 **PLANNING COMMISSION BYLAWS – RESOLUTION NO. 2015-01:** Allen Parker
102 explained that the Planning Commission discussed changing the by-laws for the Commission by
103 requiring alternates to attend meetings the same as a regular member. The Planning Commission is
104 forwarding a positive recommendation. Councilmember Munford asked what will happen if they
105 do not attend. Allen Parker stated the Commission can recommend their removal. He noted that
106 they can only miss two meetings as unexcused during the year. Councilmember Samantha Scott
107 moved to amend the Planning Commission By-Laws - Resolution 2015-01. Councilmember Bert
108 Clark seconded the motion. The motion passed with the following roll call vote:

- 109 *Councilmember Munford*..... *aye;*
- 110 *Councilmember Cowan*..... *aye;*
- 111 *Councilmember Everett*..... *aye;*
- 112 *Councilmember Scott*..... *aye;*
- 113 *Councilmember Clark*..... *aye.*

114

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

121

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

134

135 **REQUEST FOR APPROVAL OF THE CDBG PROJECT SELECTION:** Ken Bassett
136 reminded the Council that at the last meeting a public hearing was held to discuss different types of
137 projects that could be considered using Community Development Block Grant (CDBG) funds.

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 21, 2015**

138 The City has to compete for the federal funds through the Uintah Basin Association of
139 Governments. The local housing authority is asking for help to make needed repairs to the
140 Golden Age Manor apartments located at 300 North 200 West, consisting of 12 units that house
141 seniors and the disabled. A recent HUD inspection of this property found several concerns
142 including the parking lot and outside lighting. Councilmember Cowan stated that there are very
143 few senior housing projects in the community, and this complex is the oldest with residents
144 ranging in age. After further discussion, Councilmember Cowan moved to apply for CDBG
145 funding to make necessary repairs to the Golden Age Manor senior - disabled housing complex.
146 Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers
147 Cowan, Clark, Munford, Everett and Scott voting in favor.
148

**REQUEST FOR APPROVAL OF AMENDING PERSONNEL POLICIES &
PROCEDURES – WORKPLACE PRIVACY RESOLUTION NO. 2015-02:**

149 Ken Bassett explained that from time to time it is necessary to update the City's personnel policies and
150 procedures. There was a recent incident that the attorneys looked at and suggested the policy be
151 updated to allow the City to search City property or computers and keep track of what employees
152 are doing. Resolution No. 2015-02 adds wording for workplace privacy and safety.
153 Councilmember Cowan asked if an employee could keep a handgun in their desk. Ken Bassett
154 stated that with the open carry law for Utah, the gun would have to be kept on the employee at all
155 times. The City could not stop them from carrying a gun, although there is a concern about
156 employees concealing unregistered guns. The policy needs to also include wording for offices
157 and cubicles. The second section of the ordinance deals with the recording of conversations and
158 telephone calls. Occasionally it may be necessary to record a conversation which has to be done
159 according to State law. Utah is a one-party consent State which allows conversations to be
160 recorded by one of the parties involved in that conversation. The next section is a policy on
161 tracking devices which can be used to track City property or vehicles. In the case of police
162 officers, this technology can monitor their whereabouts for safety. Councilmember Cowan asked
163 if the City had a policy on texting and telephone use. Ken Bassett stated those items are part of
164 the IT policy. Councilmember Cowan asked that the employees be notified of any personnel
165 policy changes. Roxanne Behunin stated that the policy is now on-line, and the employees are
166 notified. After further discussion, Councilmember JoAnn Cowan moved to adopt Resolution No.
167 2015-02 with the changes noted. Councilmember Bert Clark seconded the motion. The motion
168 passed with the following roll call vote:
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170
171 *Councilmember Munford..... aye;*
172 *Councilmember Cowan..... aye;*
173 *Councilmember Everett..... aye;*
174 *Councilmember Scott..... aye;*
175 *Councilmember Clark..... aye.*
176

Administrative Reports:

Joint City - County Meeting:

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179 Ken Bassett explained that a joint City / County meeting has been scheduled for February 3rd at the
180 County building starting at 4 p.m.
181
182

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 21, 2015**

183 Elected Officials Day:

184 The Utah League of Cities and Towns will be hosting the Local Officials Day at the Legislature on
185 Wednesday, January 28th. There are 14-15 Youth Council members signed up to go. This year
186 the YCC will be involved with the debate on a bill that is being proposed that affect the students.
187

188 **ADJOURN:** There being no further business, Councilmember Ted Munford moved to adjourn.
189 Councilmember Samantha Scott seconded the motion. The motion passed with a unanimous
190 vote and the meeting was declared adjourned.
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ATTEST:

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Roxanne Behunin, Deputy Recorder

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200

Mayor Sonja Norton

(SEAL)

AWAITING FORMAL APPROVAL

ORDINANCE NO. 2015-02

AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, ADDING SECTION 16.04.022 - ANIMAL BOARDING, ADDING SECTION 16.04.187 - DWELLING, CARETAKER, AND AMENDING SECTION 16.48.050 - USES.

WHEREAS, the City Council finds that the regulation of animal boarding and caretaker dwellings is necessary for orderly growth and conduct of business within the City, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Code, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such regulation.

BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

Section 1. A new Section 16.04.022 is hereby added to read as follows:

16.04.022 Animal Boarding (Short Term)

A commercial facility that, in a completely enclosed facility, keeps household pets as defined herein for a period not to exceed one (1) business day.

Section 2. A new Section 16.04.187 is hereby added to read as follows:

16.04.187 Dwelling, Caretaker

A dwelling on the same site as a building, operation, plant or recreation facility that is occupied by an employee of those premises.

Section 3. Section 16.48.030 is hereby amended to read as follows:

16.48.030 Uses.

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 16.14 Conditional Uses, of this title. Uses designated as "N" will not be allowed in that zone.

USES	C-2	CC-1
Accessory buildings and uses customarily incidental to a permitted use	P	P
Amusement enterprises	C	C
Animal Boarding (Short Term)	P	P

Animal Hospital, small animals only and provided conducted within a completed enclosed building	P	P
Apartment, multi-family	C	C
Athletic Club	P	P
Auction establishment	P	C
Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within a completely enclosed building	P	P
Bakery	P	P
Bed and Breakfast	C	C
Billiard parlor	C	P
Boardinghouses	C	C
Bottling and distribution plant	P	P
Bowling Alley	P	P
Boxing arena	C	C
Bus terminal	P	P
Caretaker Dwelling	P	P
Carpenter and cabinet shop	C	C
Car wash	P	P
Christmas tree sales	P	P
Church	P	P
Church, temporary revival	P	P
Circus, carnival or other transient amusement	P	P
Coal and fuel sales office	C	C
Commercial storage units - providing for secured inside storage. Units shall be permanently secured on a foundation or cement flooring.	P	P
Contractor shop, provided work is conducted within a completely enclosed building	P	C
Dance hall	C	C
Drive-Up Window Service	P	P
Farm implement sale	P	P
Fireworks Stand - temporary	P	P
Food vendors, temporary	P	P
Garden supplies and plant material sales	P	P
Government buildings or uses, nonindustrial	P	P
Greenhouse and nursery, soil and lawn service	P	P
Gymnasium	P	P
Hand crafted items, manufacture and retail sales on premise	P	P
Health Spa	P	P
Ice cream manufacture	C	C
Liquor Store	C	C
Lodge or social hall	P	P

Low power radio service antennas - monopole antenna	C	C
Low power radio service antennas - lattice tower	C	C
Lumberyard	P	C
Machine shop operations incidental to any use permitted in a commercial zone	P	P
Manufacture of goods retailed on premises	C	C
Massage therapy with a State license	P	P
Miniature golf	P	C
Mobile home and Manufactured home sales lot, service and caretaker dwelling	P	N
Monument works and sales	P	P
Mortuary	P	P
Museum	P	P
Nightclub or social hall	C	C
Park and playground	P	P
Pet grooming parlor	P	P
Public utilities substation	C	C
Radio, television or FM broadcasting station	P	P
Reception center or wedding chapel	P	P
Recreation center	P	P
Recreational vehicle storage	C	C
Rental agency for home and garden equipment	P	P
Restaurant, hotel, motel	P	P
Retail, financial, office and personal service establishments provided there is no storage of merchandise or equipment outside of enclosed buildings and further provided that such is not designated as a conditional use elsewhere in this chapter.	P	P
Roofing shop	C	C
School, public or private	P	P
Service station, automobile excluding painting, body and fender and upholstery work	P	P
Sheet metal shop and retinning, provided all operations are conducted within a completely enclosed building.	C	C
Sign manufacture or sign painting	C	P
Sign, off-premises	C	C
Storage, outside, provided such storage area is enclosed within a minimum six (6) foot high non-see-through buffer, (such as a fence or land berming) to adequately shield the storage area from outside view, provided, however, that a single see-through gate area for ingress and egress no wider than twelve (12) feet may be maintained as part of the fenced area.	C	C
Tavern	C	C

Taxidermist	P	P
Temporary building for uses incidental to construction work	P	P
Temporary merchants - short term	P	P
Temporary merchants - long term	P	P
Temporary sales event	P	P
Theater, indoor	P	P
Theater, outdoor	C	C
Tire recapping or retreading sales and service	C	C
Travel-trailer court	C	N
Travel-trailer or RV sales and service	P	C
Truck terminals	C	C
Used car lot	P	P
Warehouse storage	C	P
Welding shop	C	P
Wholesale business	P	P
Other uses not mentioned in this section but ruled by the Planning Commission to be similar to uses permitted in this section	P	P

(PZSC § 03-24-005)

(Ord. No. 94-17, Amended, 08/11/94; Ord. No. 95-15, Amended, 09/06/95; Ord. No. 96-07, Amended, 03/20/96; Ord. No. 96-25, Amended, 10/02/96; Ord. No. 96-28, Amended, 11/20/96; Ord. No. 98-16, Amended, 10/21/98; Ord. No. 98-16, Amended, 10/21/98)

SECTION A. REPEALER. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION B. SEVERABILITY. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION C. EFFECTIVE DATE. This ordinance shall take effect the day after publication the __ day of _____ 2015.

Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett, City Recorder

(S E A L)

Date of Publication: _____

ORDINANCE NO. 2015-03

AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, SECTION 16.44.040 - MINIMUM AREA REQUIREMENTS, 16.44.050 - MINIMUM WIDTH REQUIREMENTS, AND 16.44.060 - SETBACK REQUIREMENTS.

WHEREAS, the City Council finds that the regulation of minimum area requirements, minimum width requirements, and setback requirements is necessary for orderly growth and conduct of business within the City, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Code, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such regulation.

BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

Section 1. Section 16.44.040 is hereby amended to read as follows:

16.44.040 Minimum area requirements.

In the R-4 residential zone, minimum area requirements are as follows:

- A. For each residential building: six thousand five hundred (6,500) square feet, plus one thousand five hundred (1,500) square feet for each dwelling unit in excess of one (1) in each building;
- B. For other main buildings: seven thousand five hundred (7,500) square feet. (PZSC § 03-22-004)
- C. One (1) family dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet.

Section 2. Section 16.44.050 is hereby amended to read as follows:

16.44.050 Minimum width requirements.

- A. Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.
- B. The minimum width of any parcel for a one (1) family or other main building shall be sixty-five (65) feet, plus five (5) additional feet for each additional dwelling unit up to eighty (80) feet. (PZSC § 03-22-005)
- C. One (1) family dwelling utilizing zero side yard: forty-five (45) feet.

Section 3. Section 16.44.060 is hereby amended to read as follows:

16.44.060 Setback requirements.

~~Setback requirements are the same as required in the R-2 residential zone.~~ (PZSC § 03-22-006)

A. ~~Front Setback: All buildings and structures shall be set back at least twenty (20) feet from the front lot line.~~

B. ~~Side Setback:~~

1. ~~All dwellings and other main buildings shall be set back from the side property line a distance of at least five (5) feet.~~

2. ~~The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling.~~

3. ~~On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than twenty (20) feet, unless:~~

a. ~~The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.~~

C. ~~Rear Setback:~~

1. ~~For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings shall be set back at least one (1) foot from the rear property line.~~

2. ~~For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five (5) feet.~~

SECTION A. REPEALER. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION B. SEVERABILITY. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION C. EFFECTIVE DATE. This ordinance shall take effect the day after publication the __ day of _____ 2015.

Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett, City Recorder

(S E A L)

Date of Publication: _____

A RESOLUTION OF THE VERNAL CITY COUNCIL AMENDING THE CHARGES FOR SERVICES FOR GARBAGE FEES.

WHEREAS, the Vernal City Council of Vernal City desires to amend charges for service.

NOW THEREFORE, be it ordered and resolved by the Vernal City Council as follows:

SECTION 1. CHARGES FOR SERVICE.

Fee: Residential Garbage Collection

Single Family Dwelling Unit	\$15.15- 15.60 /month - includes 1 container
Duplex (per unit)	\$15.15- 15.60 /month/unit - includes 1 container
Additional Containers	\$4.15- 4.60 /container/month

SECTION 2. SEVERABILITY. The provisions of this resolution shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this resolution or the application in a different circumstance.

SECTION 3. EFFECTIVE DATE. This resolution shall become effective the first billing cycle in March, 2015.

PASSED, AND ADOPTED this 4th day of February, 2015.

Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett, City Recorder

(S E A L)

RDT Residential Garbage Collection

Term: January 2013-December 2015 - with a two-year extension clause.

RDT has requested a fee adjustment to their contract with Vernal City to compensate for the 33% increase in landfill rates, from \$15.00 / ton to \$20.00 / ton beginning in March.

Based on an average amount of garbage collected per week and taken to the landfill, the increase per garbage container would be \$.41 / per month increase.

The current contract with RDT allows for this adjustment.

Current per can rate is \$12.75 / per residence /month.

Proposed per can rate would be \$13.16 per residence per month.

Each additional can is \$4.00 per can / month.

Proposed rate would be \$4.41 per can / month.

The City's billing to residents will need to be adjusted accordingly.



UINTAH COUNTY CLERK-AUDITOR

147 East Main
Vernal, Utah 84078
Phone: (435) 781-5362
Fax (435) 781-6701

Michael W. Wilkins
Clerk-Auditor

LANDFILL FEE SCHEDULE

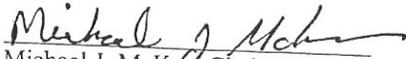
Un-tarped loads double normal fee	double normal fee
Small pick-up or trailer loads	\$5.00
Pick up and trailer load	\$10.00
Dump trucks	\$40.00
All commercial compacted loads cross the scale at a rate of	<u>\$20.00</u> per ton \$15.00
Commercial roll-off containers:	
10 yard	\$30.00
15 yard	\$40.00
20 yard	\$50.00
30 yard	\$60.00
40 yard	\$70.00
Approved contaminated soil	\$40.00 per ton
Appliances containing freon	\$20.00 each
Oilfield trash baskets	\$60.00
Oilfield bulk cement	\$120.00
Daggett County	\$30.00 per ton
Dead animal pit	no charge
Pre-paid Trash Basket Books	\$600.00
Pre-paid Ticket Books	\$100.00
Pre-paid Punch Cards	\$50.00

* Special waste will be handled on a case by case basis: fees will be determined by County Commissioners and Landfill Manager.

Pre-paid ticket books can be purchased at the Clerk Auditors office.

ENACTED this 12 day of Jan, 2015.

IN WITNESS THEREOF:

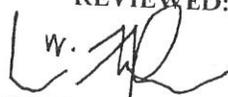

Michael J. McKee, Chair

Michael J. McKee	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Mark D. Raymond	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
William C. Stringer	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent

ATTEST:


MICHAEL W. WILKINS
Clerk-Auditor

REVIEWED:


18 Loren W. Anderson
Deputy Civil County Attorney

WHEREAS, Vernal City has determined that the best interests and welfare of the public within their jurisdiction will best be served by approving this Resolution; and

WHEREAS, Vernal City employees need to follow federal and State statues pertaining to firearms.

NOW THEREFORE BE IT RESOLVED by the Vernal City Council as follows:

Section 1. Section 12.05.030 is hereby amended to read as follows

12.05.030 Causes for Disciplinary Action.

An employee holding any position with Vernal City may be placed on probationary status, transferred, demoted, reduced in pay, suspended with or without pay, or terminated, for any of the following reasons including, but are not limited to the following:

- A. A violation of any of the City Personnel policies and procedures, or any other administrative policies, as adopted by resolution of the Vernal City Council;
- B. Neglect of duty;
- C. Refusal to obey a reasonable order by any supervisor, either written or verbal;
- D. Inefficiency or inability to satisfactorily perform assigned duties;
- E. An act hostile to public service;
- F. Falsification or unauthorized alteration of City records;
- G, Falsification of employment application;
- H. Knowingly marking the time sheet of another employee, authorizing one's time sheet to be marked by an unauthorized employee, or unauthorized alteration of a time sheet.
- I. Carelessness which affects the safety of personnel;
- J. Threatening, intimidating, coercing or interfering with fellow employees on the job, or the public.
- K. Theft or removal from the work area or premise without proper authorization of any City property or that of any employee.
- L. Gambling or engaging a lottery at any City work area.
- M. Misusing, destroying or damaging any City property or the property of any employee.
- N. Deliberately restricting output.
- O. Possessing or consuming any alcoholic beverage or unlawfully manufacturing, distributing, dispensing, possessing or using a controlled substance in the workplace of Vernal City.
- P. Intoxication, or being under the influence of alcohol or prohibitive drugs during work hours or in the workplace of Vernal City.
- Q. Immoral conduct or indecency affecting job performance or job effectiveness.
- R. Sleeping on the job during work hours.
- S. Engaging in conduct that negatively impacts the employees ability to perform essential functions of his job.
- T. Using, threatening or attempting to use personal or political influence in an effort to secure special consideration as a City employee.
- U. Failure to report to work without notification to the Department Head unless it is impossible to give such notice.
- V. Involvement in a vehicular accident involving a City vehicle , where negligence has been demonstrated by the employee.
- W. Act of dishonesty related to job performance.
- X. Misuse of disposed surplus property.
- Y. Sexual harassment of employees.

- Z. Using profane language.
- AA. Displaying insubordinate behavior.
- BB. Any other misconduct.
- CC. Possession of firearms, weapons or explosives on City owned property or at the work location without supervisory authorization of the City Manager unless specifically allowed by federal or State law.
- DD. Employment discrimination.
- EE. Moving traffic violation while operating a City vehicle.
- FF. Violation of the Information Technology Resources provisions of these policies and procedures.
- GG. Violation of local, State or Federal laws.
(Amended 11/03/2004, Res.2004-15)

Severability. The provisions of this resolution shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid, it shall not effect any other provision of this resolution or the application in a different circumstance.

Effective date. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this __ day of _____, 2015

Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett, City Recorder

(S E A L)