

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
NOVEMBER 4, 2015 at 7:00 p.m. in the Vernal City Council room, 374 East Main,  
Vernal, Utah 84078.

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

**WELCOME:** Mayor Sonja Norton welcomed everyone to the meeting.

**INVOCATION OR UPLIFTING THOUGHT:** An uplifting thought was given by Councilmember Samantha Scott.

**PLEDGE OF ALLEGIANCE:** The pledge of Allegiance was led by Councilmember Bert Clark.

**APPROVAL OF MINUTES OF OCTOBER 21, 2015 REGULAR MEETING:**  
*Councilmember Bert Clark moved to approve the minutes of October 21, 2015. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott, and Clark voting in favor for a unanimous vote.*

**REQUEST FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH NICK RICHINS FOR THE PROPERTIES LOCATED AT 509 SOUTH 500 WEST AND 589 SOUTH 500 WEST, VERNAL, UTAH - ALLEN PARKER:** Allen Parker explained that the City Attorney drafted a development agreement for the rezone on 509 South and 589 South on 500 West Street. The most significant component of the agreement are the exhibits which outline what can be built on the property. Mr. Parker explained to the audience that a development agreement is used when the City rezones property, or changes the category for parcels of property so certain things can be done on it. The owner sign the agreement which then protects the adjoining property rights making sure what happens on that parcel is compatible with the neighbors. On the corner of 500 West and 500 South, the owner wants to build an office building which is listed as a commercial use, and the City wants to place restrictions so other types of commercial establishments are not developed. Mr. Parker displayed a map showing the boundaries of the rezone. The development agreement restricts the commercial use to professional office buildings and retail activities that happen in those offices such as eye glass sales. The building height is restricted along with the exterior look of the building. Councilmember Clark asked if there will be a fence on the 400 West side of the development. Allen Parker answered that the fence will be on the south side of the property only, not along 400 South Street. Councilmember Dave Everett stated that the pictures that were presented when this development was first discussed match the description of the materials that will be used on the exterior of the buildings. Mayor Norton asked if this development agreement will remain with the property, not just this owner. Allen Parker stated that the development agreement was designed to run with the land as there are no restrictions in State law to prevent this type of agreement. After further discussion, *Councilmember JoAnn Cowan moved to approve the development agreement with Nick Richens for the property located at 509 South and 589 South and 500 West. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Cowan, Munford, Everett, Scott and Clark voting in favor for a unanimous vote.*

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
NOVEMBER 4, 2015**

**DISPOSAL OF FILL MATERIAL FROM WATER BREAKS – MIKE DAVIS:** Water Superintendent, Mike Davis, explained that when a water or sewer line is repaired, excess fill material from the trench is moved to the 1500 East storage lot. The property has now run out of room to store this dirt, and the landfill charges \$30 a load to deposit it there. He requested that the Council declare this material as surplus and allow the utility departments to give the dirt away to anyone interested on a first come first serve basis. Mayor Norton asked if it is just dirt or does it contain gravel. Mike Davis stated it is fill material, not top soil, so it could have cement, rocks or asphalt in it. The material also has to dry out. Councilmember Cowan asked if the crew is going to deliver the dirt. Mike Davis answered no; they will have to pick it up themselves. However, the City crew can load the truck or trailer. Councilmember Cowan suggested a banner be placed on the fence to let people know there is free dirt available. After further discussion, *Councilmember JoAnn Cowan moved to declare the fill material from water and sewer breaks surplus property and dispose of the dirt by allowing residents to haul it away. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Cowan, Everett, Clark, Scott and Munford voting in favor for a unanimous vote.*

**REQUEST FOR APPROVAL OF INTERLOCAL AGREEMENT WITH UINTAH COUNTY & UINTAH TRANSPORTATION DISTRICT FOR SPONSORSHIP, OPERATION AND MAINTENANCE OF THE VERNAL REGIONAL AIRPORT - RESOLUTION NO. 2015-12:** Ken Bassett explained that the purpose of this agreement is for the Uintah Transportation Special Service District to assume the management of the airport. The property, including any real property, remains in the name of Uintah County and Vernal City along with anything acquired through federal grants. If this agreement is terminated, any property purchased by the District will remain with the District. Another provision of this agreement is the financial obligation for the airport is no longer the responsibility of the City as of January 1, 2015. Councilmember Cowan expressed her concern that the firefighting equipment that belongs to the Fire District remain under their name. Ken Bassett noted that the titles for that equipment are in the name of the Fire District. The agreement is for a term of 40 years. *Councilmember Bert Clark moved to approve Resolution No. 2015-12 Interlocal Agreement to transfer the management of the airport to the Uintah Transportation District. Councilmember Ted Munford 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 LEASE AGREEMENT WITH UINTAH COUNTY & UINTAH TRANSPORTATION DISTRICT FOR USE, MANAGEMENT & OPERATION OF THE VERNAL REGIONAL AIRPORT:** Ken Bassett explained that this agreement is also necessary to transfer the management of the airport to the Uintah Transportation District. The personal and real property being used by the airport will be leased to the District under this agreement. Uintah County has already approved this agreement and the Uintah Transportation

## **MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD NOVEMBER 4, 2015**

Special Service District will consider it at their next meeting. *Councilmember Dave Everett moved to approve the Lease Agreement with Uintah County and the Uintah Transportation District. Councilmember JoAnn Cowan seconded the motion. The motion passed with Councilmembers Everett, Cowan, Clark, Scott and Munford voting in favor for a unanimous vote.*

**REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH UINTAH COUNTY FOR THE CONVENTION CENTER CONTRIBUTION:** Ken Bassett reminded the Council that last October the Uintah County Commission asked the City to help with the operation and maintenance of the convention center once there is no financial obligation for the airport. The decision of the Council, at that time, was to pay up to \$200,000 a year for 5 years for the operation and maintenance of the convention center if it was built in the City. The payment to Uintah County will be made once the Uintah Special Service District fully executes the airport agreements. The funding will be paid quarterly. Councilmember Everett asked if the payment will go back to January 1st. Ken Bassett stated it will be effective July, 2015. Councilmember Cowan asked if there is a governing board for the convention center. Ken Bassett answered that he did not know. Councilmember Clark stated that there is an advisory board for the Western Park. Councilmember Cowan stated that Vernal City should have a seat on the advisory board for the convention center if there is one. Ken Bassett noted that the City has the right to review the accounting for the conference center and if enough funds are raised through fees there, the City obligation will terminate. Councilmember Cowan suggested changing the wording so the City will receive an annual accounting of where the funds were spent rather than the City having to request that information. Ken Bassett stated that could be changed. Councilmember Ted Munford questions if the funds would go toward the operation and maintenance or to pay for the bonds. Ken Bassett stated that the agreement can establish where those funds are to be used. Councilmember Munford stated his preference is that the funds not be used for debt payments. Ken Bassett stated that the accounting report can also include the scheduling to see the usage of the facility. Councilmember Clark questioned if the facility will waive the fees for any activities. Ken Bassett suggested the Council discuss that item with the County Commission at the next joint meeting. *After further discussion, Councilmember Ted Munford moved to approve the Memorandum of Understanding with Uintah County for the operation of the Convention Center with two changes, an annual accounting with the scheduling, and that the funds from the City are used exclusively for the operation and maintenance of the center. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Scott, Cowan, Clark and Everett voting in favor for a unanimous vote.*

### **ADMINISTRATIVE REPORTS:**

#### 2015 Election:

Councilmember Bert Clark congratulated Councilmembers Samantha Scott and Dave Everett on retaining their Council seats and newly elected Council member Travis Allen. Councilmember Munford thanked all those that ran for their involvement. Ken Bassett stated that the Proposition 1 vote is too close to call until after the canvassing.

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
NOVEMBER 4, 2015**

Mayor's Walk:

Councilmember Samantha Scott thanked Councilmember Munford for his involvement with the Mayor's Walk with all the time and effort he put into his costume for Halloween to entertain the kids.

Meeting Schedule:

Ken Bassett stated that the canvassing for the election needs to be done on November 17<sup>th</sup>. The consensus of the Council was to hold the meeting at 4 p.m.

Ken Bassett asked if the Council would be available to hold a meeting with the Uintah County Commission on November 30<sup>th</sup> at 3:30 p.m. The Council responded that they would be available.

**ADJOURN:** There being no further business, Councilmember Clark moved to adjourn. Councilmember 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 )