

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
DECEMBER 16, 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 MINUTES OF DECEMBER 2, 2015 REGULAR MEETING:
Councilmember Ted Munford moved to approve the minutes of December 2, 2015. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott, and Clark voting in favor for a unanimous vote.

APPROVAL OF MINUTES OF DECEMBER 7, 2015 SPECIAL MEETING:
Councilmember Dave Everett moved to approve the minutes of December 7, 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 APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE FOR ROCKVILLE ESTATES: Ken Bassett presented a summary of the infrastructure inspection report for Rockville Estates. He explained that a more comprehensive report prepared by the City's Infrastructure inspector, Clint Morton, was also included in the Council packets for this meeting along with recommendations. Rockville Estates is a Planned Unit Development (PUD) built in 2007 located at 700 West around 700 South in Vernal which includes 17 property owners. As is the case not only in Vernal, but throughout Utah, PUD's are built with provisions where setbacks and density might be different from typical subdivisions, and the infrastructure, many times, remains privately owned so it is not necessarily built in compliance with City specifications. Rockville Estates has requested the City take over the infrastructure so the City generated the inspection report. A meeting was held on December 10th with the Homeowners Association for Rockville Estates to go over the report. In 2010, the City had a discussion with some of the homeowners regarding the acceptance of the infrastructure, primarily the streets, curb, gutter and sidewalks, and it was determined that improvements needed to be done before the City could consider taking over these items. Rockville Estates has taken significant steps to make improvements especially on the curb, gutter and sidewalks and with minor corrections, that infrastructure can be accepted by the City. The utilities were also reviewed including water, sewer and storm drainage which would take major improvements to meet City specifications. The Public Works Committee also met to review the findings and consider what could be done for these homeowners.

Mr. Reed Critchfield, HOA president for Rockville Estates, stated that most of the homeowners were not aware that the City did not own the infrastructure when they purchased their properties,

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nor did they want to be the owners of the infrastructure. Over \$30,000 has been spent to correct the curb, gutters and sidewalks, especially dealing with ADA requirements, so the City would consider accepting those improvements. He noted that the City has been extremely cooperative and asked the Council to consider helping them as 17 homeowners cannot sustain the infrastructure. Councilmember Clark noted that this subdivision was built in a high water table area and asked what was done to satisfy drainage problems. Mr. Critchfield stated that the homeowners installed a french drain with the help of neighboring property owners who allowed the subdivision to infringe on their property to install it. The drain has alleviated most of the ground water issues with some homes still using pumps that work during any significant rain fall.

Ken Bassett stated that although the request to accept the infrastructure did not include the utilities, the conclusion from the meeting is that the Rockville HOA would like the City to consider them as well. The roadway, for the most part, was built to City standards once the road is chipped and sealed. There are still some areas on the north side that have problems with the sidewalk, but most of these improvements are acceptable as well as the curb and gutter. It is not known if the water system was installed based on State requirements, and the State Division of Water Quality will need to be contacted to see if the system is acceptable. The water is delivered from Vernal City through an 8" line to two master meters. The lines from the master meters go down each side of the subdivision and supply the homes. This is a unique system with the HOA paying the bill off the two master meters. The City's water and sewer superintendent believes the main water lines can be inspected, to some degree, and if they meet the State standards, the City could accept the lines. The sewer system is in good shape and can be accepted after video inspection. The storm water system is undersized and does not meet City standards. Reed Critchfield agreed that although the utilities were not included in the initial request, the homeowners would like to include those in their request and move forward. Ken Bassett suggested the HOA contact the Uintah Transportation District to get the cost for sealing the road so the City can accept it, and the City will help with that process if the Council agrees. Also, the property will need to be dedicated as a street for the City. One other item that came up is a turnaround that is needed for emergency vehicles and snow plows. There is a small side street that the fire marshal agreed would work for that purpose. Permission would be needed from the HOA and neighboring property owners to use it for emergency needs. Councilmember Clark asked where the snow from the roads would be placed. Ken Bassett stated the street crew would work with property owners to place it somewhere in the subdivision. Councilmember Dave Everett stated he drove through Rockville and would like to see the City help them come up with solutions so the City can accept the infrastructure. Councilmember Clark asked what it will take to meter each home for water and sewer utilities. Ken Bassett stated it would be a substantial cost to install meters to each home and the service lines would need to be put in the roadway which would cause considerable excavation. After further discussion, *Councilmember Dave Everett moved to proceed forward to work out the issues with the Rockville Estates HOA, to correct the infrastructure so it meets Vernal City requirements and bring this issue back to the Council for formal acceptance once the infrastructure meets City standards. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Everett, Clark, Scott and Munford voting in favor.*

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REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE - SECTION 13.08.020 - CUSTOMER DEPOSITS - ORDINANCE NO. 2015-26: Mike Davis, Finance Director, explained that there has been some confusion on deposits necessary to turn on water service. Ordinance No. 2015-26 will clarify that a renter has to pay a deposit, and if they make timely payments, they will receive the deposit back after 12 months. A property owner is required to sign a payment guarantee form to guarantee the utility payments will be made. If a renter skips out and does not pay the water bill, the property owner is responsible. Mayor Norton asked what happens if the renter does not sign the forms or pay the deposit. Mike Davis answered that the water bill will remain in the name of the owner, and if there is no payment guarantee the water will not be turned on. Councilmember Clark asked what the purpose is of this change. Mike Davis stated that in some cases landlords are renting property to renters who are not paying the water bills. The owners are then wanting to allow the next renter to move in with an outstanding water bill on the property. The City is ending up as a collection agency where no one is being responsible to pay the water bills. Councilmember Clark stated that if a water line breaks with a renter in the home, it could leave a large debt for the owner. Mike Davis stated the City tries to go after the renter first for any outstanding bill, but if they do not pay it, the owner will be billed, and it must be paid before the next renter moves in. Ken Bassett stated that there are some responsibilities that you assume when you become a landlord, and this is one of them. If there is a water leak on the home side of the water meter, it is the responsibility of the homeowner. Having a payment guarantee is critical to managing the water system. Mike Davis stated that the City goes beyond State requirements before shutting off water for non-payment. *Councilmember Samantha Scott moved to approve Ordinance No. 2015-26. 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 FEES FOR CHARGES FOR SERVICES, WATER DEPOSITS - RESOLUTION NO. 2015-18: Mayor Norton noted that this Resolution changes the water bill deposit from \$100 to \$150. Mike Davis explained that the current water bill is \$79.70 per month and many times renters get two months behind on their water bill payment so the \$150 deposit is closer to the two months billing. *Councilmember Ted Munford moved to accept Resolution No. 2015-18 increasing the water bill deposit. 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.*

COUNCIL COMMITTEE ASSIGNMENTS – ORDINANCE NO. 2015-27: Mayor Norton asked the Council to review the committee assignments presented. She noted that she spoke with Council-elect Travis Allan before finalizing the assignments. *Councilmember Ted Munford moved to approve Ordinance No. 2015-27 setting the Council Committee assignments*

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for 2016. 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.....abstained.

Councilmember Clark noted that he abstained due to the Mayor not discussing the assignments with him before they were presented.

UINTAH HEALTH CARE SPECIAL SERVICE DISTRICT APPOINTMENT: Mayor Norton pointed out that she did make a change for the Uintah Health Care Special Service District from Ted Munford to Travis Allan. Councilmember Ted Munford moved to approve the appointment of Travis Allan to this Board. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Clark and Scott voting in favor.

REQUEST FOR APPROVAL OF 2016 PLANNING COMMISSION MEETING SCHEDULE – RESOLUTION NO. 2015-17: Allen Parker explained that the Planning Commission is comfortable with holding their meetings the 2nd Tuesday of each month. Councilmember Samantha Scott moved to approve Resolution No. 2015-17 setting the Planning Commission scheduled for the 2nd Tuesday of each month for 2016. 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.

APPOINTMENT OF PLANNING COMMISSION MEMBERS - JIM LINCHE TEN AND BROCK SMITH: Allen Parker explained that several members of the Planning Commission are no longer able to serve, and new members have been suggested. Mr. Parker contacted Jim Lincheten and Brock Smith who are willing to serve on the Planning Commission. Mayor Norton stated that Mike Drescel moved out of Vernal City and asked if Mr. Gessell had also moved. Allen Parker stated he simply has new responsibilities and is unable to serve. Mr. Franciso and Mr. Pope are not able to attend the meetings which require an 80% attendance. After further discussion, Councilmember Ted Munford moved to appoint Jim Lincheten as a regular member, move Adam Ray from an alternate to a regular member, appoint Brock Smith as an alternate member and reappoint Rory Taylor as a regular member. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Scott, Everett and Clark voting in favor.

ADMINISTRATIVE REPORTS

Home Beautification Project:

Councilmember Bert Clark asked the staff to send a letter of appreciation to the owners of the historical home on 400 West 100 North that has been restored.

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District Stipends:

Councilmember Clark stated that the Sewer Management Board made the decision to pay a stipend the first of the year for Board members and wondered if the other Districts had to have the City approve the payment. Ken Bassett stated he would bring it to the Council when the other Districts request approval.

Code Enforcement:

Councilmember Bert Clark asked that the Dinosaur Inn be asked to clean up the homes behind the hotel that are still unsightly. Allen Parker stated he would have code enforcement look into it to bring them into compliance. Councilmember Clark requested a report on this issue at the next meeting.

Youth City Council Local Officials Day:

Mayor Norton stated that typically two Councilmembers and the Mayor attend this function with the Youth City Council. Ken Bassett stated there are nine students registered to go. Mayor Norton and Councilmember Scott indicated they would also be attending.

Swearing In Ceremony for Council:

Councilmember Dave Everett reminded Councilmember Samantha Scott and Council-elect Travis Allan that the swearing-in ceremony for the Council will be the 1st Monday in January at noon.

Joint City / County Meeting:

Ken Bassett notified the Council that the next joint City / County meeting have been scheduled for January 25th at 3:30 p.m. here at the Vernal City offices.

The Council wished everyone a Merry Christmas and Happy New Year.

ADJOURN: There being no further business, *Councilmember Samantha Scott 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)