

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
FEBRUARY 17, 2016 at 7:00 p.m. in the Vernal City Council room, 374 East Main,  
Vernal, Utah 84078.

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

**WELCOME:** Councilmember Dave Everett welcomed everyone to the meeting.

**SELECTION OF MAYOR PRO TEMPORE:** Councilmember Dave Everett moved to appoint Bert Clark as the Mayor Pro Tempore for this meeting. Councilmember Samantha Scott seconded the motion. Motion passed with Councilmembers Everett, Scott, Munford, Allan and Clark voting in favor.

**INVOCATION OR UPLIFTING THOUGHT:** An invocation was given by Councilmember Dave Everett.

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

**APPROVAL OF MINUTES OF FEBRUARY 3, 2016 REGULAR MEETING:**  
*Councilmember Dave Everett moved to approve the minutes of February 3, 2016. Councilmember Travis Allan seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott, and Clark voting in favor for a unanimous vote.*

**DINOSAUR ROUNDUP RODEO:** Mr. Mike Karren, president, of the Dinosaur Roundup Rodeo, explained what it takes to put on a rodeo including good cowboys, livestock, clowns, and announcers. Some of the costs are \$1300 PRCA fee, \$2265 for judges, \$75,000 purse cost, \$21,000 to rent the Western Park, \$7000 for the announcer, and \$74,700 for the stock. There are additional costs for insurance, advertising, tickets, brochures, security etc. Last year the rodeo had 523 contestants from 25 states. The special rodeo had 80 participants, and the mutton bustin' draws in 30 local children. Mr. Karren explained that many of the people hired to put on the rodeo stay for the entire week, bringing their families to enjoy the area. The rodeo relies on over 200 volunteers to put on a good show. This year the Chamber of Commerce is getting involved promoting rodeo pride week with window painting downtown, four foot dinosaurs that will be placed in front of businesses, and cowboy / cowgirl apparel. He asked the Council for approval for the dinosaurs. Mayor Pro Tempore Clark asked how much money the Dinosaur Roundup Rodeo is asking from the City. Mr. Karren explained that they are rethinking some of the events as they have lost a lot of their large sponsors. He asked the Council to consider the same sponsorship as last year. Councilmember Munford stated that he would like to see a financial statement from the events that are sponsored by the City and asked if the rodeo is non-profit. Mr. Karren stated that they are non-profit and he will submit a profit / loss statement. Ted Munford noted that this is a wonderful event, however, the City's revenues are down so the same sponsorship amount would be tough. Mr. Karren stated that they have lost donations and that is a reality they will have to face. *Councilmember Dave Everett stated the Council has a responsibility toward the citizens to watch the finances and cut spending when needed. He moved to cut the sponsorship for the rodeo by 25% which is \$22,500 and \$1500 for the special rodeo r, rodeo and allow the dinosaurs to be placed on Main Street.* Councilmember Munford

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asked what the City’s participation is for the dinosaurs. Mike Karren stated simply to allow them to be placed on the sidewalk. *Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Everett, Scott, Munford, Allan and Clark voting in favor.*

**ALIVE AFTER FIVE REQUEST FOR FUNDING- JOE EVANS:** Mindy Atwood explained that the Alive after Five event was a great success last year and is scheduled for July 28<sup>th</sup>, August 4, 11 and 18<sup>th</sup>. This event is a local concert for local singers. Mayor Pro Tempore Bert Clark asked where the event will be held this year. Mindy Atwood answered at the Western Park. Joe Evans presented a financial statement to the Council. He noted that this started 15 years ago with the Downtown Merchants Association. The event grew too large for downtown and had to be moved to the Western Park at a cost of \$1200 for that venue. One of the first winners was Charlie Jenkins, so this program gives local singers a good start. He noted that they can make this even happen with less money, but need support. Councilmember Ted Munford declared he had a conflict of interest with this item as he has business dealings with Mr. Evans. *Councilmember Dave Everett moved to sponsor this event in the amount of \$2600 which is 25% less than last year. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....abstained;*
- Councilmember Allan .....aye;*
- Councilmember Everett .....aye;*
- Councilmember Scott.....aye;*
- Councilmember Clark.....aye.*

**STORY TELLING FESTIVAL - VERNIE HEENEY:** Vernie Heeney gave a brief overview of this event, explaining that they bring in world renowned storytellers for performances at the schools as well as for the public. On Friday a symposium will be held for students and teachers to learn how to be tellers. One of the performers this year is local, Mr. Sam Payne, which helps keep the costs down. Chris Oviatt stated this event is a wonderful experience and people do come from out of town to hear the storytellers. Councilmember Ted Munford noted that in the program, it states that Mr. Stivender is a mummer, and asked what that is. Chris Oviatt stated the teller involves the crowd with a repeating tone or action. After further discussion, *Councilmember Dave Everett moved to sponsor this event in the amount of \$750. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

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

**PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE: UPDATE FENCING REQUIREMENTS REPEALING SECTIONS 9.32.020, 16.24.055, 16.24.080, AMEND 16.04.240 AND ADD 16.20.350 - ORDINANCE NO. 2016-01:** Allen Parker explained that the intent of this Ordinance is to consolidate all sections of the code pertaining to fencing into one Chapter. The Planning Commission reviewed this

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Ordinance and held a public hearing before deciding to table it for further review. He recommended the Council take comments, then wait for a final recommendation from the Planning Commission. Mayor Pro Tempore Bert Clark opened the public hearing. Councilmember Ted Munford asked if there are any changes to the substance of the code sections. Allen Parker stated there will be a few clarifications such as a conditional use for side or rear yard fences. Councilmember Ted Munford stated the code lists a hedge as a fence and wondered if a property owner has to have a permit to plant. Allen Parker explained this code is old, but the Council needs to consider hazards that can block views. Technically, a building permit is required if it accesses a road. Councilmember Clark asked that the section on barbed wired fencing be updated as there are still agricultural areas that need that type of fencing. Allen Parker stated he would ask the Planning Commission to preserve that type of fencing for agricultural use, and remove it once that use disappears. Councilmember Bert Clark asked for clarification on temporary fencing. Allen Parker explained that the code requires a temporary fence around large construction sites which must be removed once the project is completed. Councilmember Clark mentioned that he noticed when a permit lapses and a project is not completed, the fence falls into disrepair. Allen Parker stated he understands the concern as there is still an attractive nuisance with the construction site and a hazard with the fencing. Councilmember Munford stated that is a real challenge as some developments fail creating a nuisance in many ways. Allen Parker stated he would have the Planning Commission consider more clarity in that section of the code. Also, in Title 9 trash fences are listed as a nuisance that can be addressed by code enforcement. There being no further comments, Councilmember Ted Munford moved to close the public hearing and table Ordinance No, 2016-01. Councilmember Dave Everett seconded the motion. The motion passed with the Councilmembers Munford, Everett, Scott, Allan and Clark voting in favor.

**PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE UPDATE SIGN REGULATIONS CHAPTER 16.28 - ORDINANCE NO. 2016-02:** Allen Parker explained that this Ordinance will clarify items that the staff has found challenging when trying to enforce this ordinance. Also, a new section has been added to deal with inflatable signs. The Planning Commission held a public hearing and is forwarding a positive recommendation for Ordinance No. 2016-02. Mayor Pro Tempore Bert Clark opened the public hearing. Allen Parker explained that inflatable signs are not addressed in the code, yet those are popping up so the staff wants to make sure they are permitted and managed in a good way. Further, in the past any sign that was mounted on a post was treated as a pole sign, and yet there have been a few situations where that has not been the case such as low signs that function more as a wall sign. This ordinance changes the requirements so any sign that is attached to a roof but does not extend past the peak of the roof is considered a wall sign. If it is past the peak of the building, it would be considered a pole sign. Councilmember Clark asked for clarification of the “peak” of the building. Allen Parker stated if it goes above the top of the building. Councilmember Ted Munford asked when dealing with a business that has no gable is that considered a flat sign. Allen Parker answered yes if it is mounted on the front. He noted that there has not been a request for a sign to extend off the top of a business on Main Street yet. Ken Bassett clarified if that were to happen, it would be considered a pole sign. Councilmember Munford asked why there is a fourteen foot minimum requirement if the sign is on the building. Councilmember Clark agreed that many buildings, especially along 100 North 100 South, are not

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that tall. Allen Parker stated an exception can be made for that type of sign. Allen Parker reminded the Council that a pole sign has to be within 350 feet of US 40 or they cannot be erected. The top of the sign is 14 feet, and the bottom of the sign is governed by the shape of the sign if it hangs out beyond the pole for a minimum clearance. Councilmember Bert Clark asked what happens with a temporary banner that blocks the right-of-way or clear vision triangle. Allen Parker stated there are specific regulations for temporary signs, and in no case can it violate the clear vision triangle as defined in the code. Councilmember Clark stated there are temporary banners on 1000 West Main along the the chain link fence and the Middle School. Allen Parker stated that schools are covered differently in State law, and Uintah School District has agreed to not allow advertisements for the private sector. However, they manage those fences. He stated he would have a discussion with them on this issue. Councilmember Dave Everett stated that the sign on 500 East for 7-11 convenience store does block the intersection. Allen Parker stated he would have code enforcement address that issue. Councilmember Ted Munford asked what the concern is with an inflatable sign that there is a time limit of 21 days, with two allowed per year. He noted that most of the time they do not stay inflated that long. Allen Parker stated the sign may occupy required parking, and needs to be secured so it does not infringe on others. He noted that the Planning Commission was more comfortable with limiting the size of the sign based on the size of the property, but agreed to the 25 foot height. Councilmember Munford stated there are businesses that have signs such as wobbly men up all summer. If they are not tying up parking, why is there a concern of the time limit. Councilmember Everett agreed that the City does not want to hinder small businesses from advertising if they are not using required parking. Allen Parker stated the Ordinance can look at the density and reword it so inflatable signs do not have a time limit if they are not taking up required parking. Ken Bassett explained that as the Council considers passing laws, one question they need to keep in mind is why. In this case why should there be a limit of two times per year if it does not interfere with the health, safety or welfare of the community. Councilmember Munford agreed and suggested the wording “twice per year” be eliminated. There being no further public comments, the public hearing was closed. *Councilmember Ted Munford moved to approve Ordinance No. 2016-02 with the change to the inflatable signs to allow them year round unless they are taking up required parking. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

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

**CIB SEWER LINE RE-LINING PROJECT ENGINEERING PROPOSAL - DARREN**

**ANDERSON:** Ken Bassett reminded the Council that the City received funding from the Community Impact Board to line a section of the main sewer line. CRS Engineering has submitted a proposal of \$144,000 which is 6% design fees and 6% construction fees for the engineering on this project. When the City relines sewer lines, it adds significantly new life to the sewer lines without replacing them. Councilmember Bert Clark asked the staff to inform Ashley Valley Sewer Management Board of this project. Darren Anderson stated they would stay in communication with them during the course of this project. Councilmember Ted Munford

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asked if a line that has already been lined once can be lined again. Darren Anderson answered yes, although there is some loss to the inside diameter of the line so calculations need to be completed to make sure there is not a capacity issue. Councilmember Travis Allen asked how much the capacity decreases. Darren Anderson answered that generally what happens is the pipe is in bad enough condition the friction actually causes less flow than the loss in diameter which is usually around 6 millimeters. In the case of a pipe that has already been lined, the capacity would be more of an issue. Councilmember Allan asked what happens if a piece of the pipe is actually missing. Darren answered that the lining still coats over that section and stops infiltration from dirt or water. Councilmember Bert Clark noted that if this project can prohibit infiltration, it will stop 200,000 gallons of treated water entering the sewer treatment plant. After further discussion, *Councilmember Samantha Scott moved to approve the Engineering proposal from CRS Engineering in the amount of \$144,000 for the sewer relining project. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

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

**REQUEST FOR APPROVAL OF FINAL PLAT FOR NICK RICHENS SUBDIVISION  
400 WEST 500 SOUTH - ALLEN PARKER:** Allen Parker explained that this is the final step for the subdivision at 500 South and 400 West to divide the land from two lots into five residential lots and one large commercial lot. He presented a plat of the subdivision configuration for the Council’s review. The Planning Commission held a public hearing and is forwarding a positive recommendation. *Councilmember Dave Everett moved to approve the final plat for the Nick Richens Subdivision as presented. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Everett, Munford, Scott, Allan and Clark voting in favor for a unanimous vote.*

**ADMINISTRATIVE REPORTS:**

Budget Meetings:

Ken Bassett brought the Council’s attention to the tentative schedule of upcoming budget meetings.

Aggie Blvd:

Ken Bassett explained that periodically the City receives a request to block off Aggie Boulevard for a 5K race or other event for the purpose of raising funds. One problem is now there are entities or businesses that are being impacted when the road is closed. For example the LDS stake center may have a funeral that day or the Golden Age Center have citizens trying to enter the parking lot daily. He asked the Council if they would agree that the organization asking that the road be closed be required to get permission from the property owners before the City approved the road closure. Councilmember Everett suggested a form letter be developed that is given to the organization to get signed. Councilmember Munford asked, out of courtesy, to notify the regular requestors of the change in procedure.

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North Vernal Avenue:

Councilmember Clark asked the staff to make sure businesses along North Vernal Avenue are aware of the road being milled this year so they can repair utilities before the work is completed.

**ADJOURN:** There being no further business, *Councilmember Ted Munford moved to adjourn. Councilmember Bert Clark seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.*

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Mayor Pro Tempore Bert Clark

ATTEST:

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Roxanne Behunin, Deputy Recorder

( S E A L )