

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
APRIL 6, 2022 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,
Utah 84078.

PRESENT: Councilmembers Nicholas Porter, Dave Everett, Robin O’Driscoll and Corey Foley 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 Robin O’Driscoll.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Dave Everett.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF MARCH 16, 2022 REGULAR MEETING: *Councilmember Nick Porter moved to approve the minutes of March 16, 2022. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Everett, O’Driscoll, Foley and Porter voting in favor.*

INTRODUCTION OF NEW IT TECHNICIAN ALYX LARSEN: Carl Morton, Finance Director, introduced Alyx Larson, the new IT Support Technician for the City. Mr. Morton reported that Alyx was working for Duchesne County and is very talented. Alyx Larsen stated he is excited to work for the City and has been doing this type of work professionally for 15 years. The Mayor and Council welcomed Mr. Larsen.

REQUEST FOR EVENT FUNDING FOR JUNIOR LIVESTOCK SHOW – CINDY BIRCHELL: Cindy Birchell, Member of the Planning Committee for the Junior Livestock Show, thanked the Council for sponsoring this event in the past and asked them to consider sponsoring again this year. The show has 385 exhibitors and is open to the entire State. *Councilmember Dave Everett moved to approve \$750 for the Junior Livestock show. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

Councilmember O’Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

REQUEST FOR EVENT FUNDING FOR GRAD NIGHT – LESHA COLTHARP: Leshia Coltharp requested funding for graduation night. Traditionally, the parents of seniors and other community members provide a safe and controlled environment for graduation night including games, food, entertainment and prizes for the students. The event can be held at the High School this year. *Councilmember Corey Foley moved to approve a \$2000 sponsorship for grad night. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

Councilmember O’Driscoll.....aye;

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Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

Quinn Bennion stated that the County supports this event and Naples City and Ballard will also support it this year. Leshia Coltharp joked that Dave Everett is over plinko and the Mayor is scheduled to sit in the dunk tank. She thanked the Council for the support.

REQUEST FOR EVENT FUNDING FOR ROCK THE RIDE CONCERT SERIES - SHANE COOK: Shane Cook reminded the Council that last year was the first time for this event with concerts being scheduled once a month during the summer months. Around \$10,000 was raised and was used to pay the bands, rent sound equipment, and marketing. Quinn Bennion asked if he had decided on a location for this year. Shane Cook stated he is considering Vernal Avenue again this year if possible with the construction of the parking lot. Last year there were around 500 attendees so parking could be an issue. He stated he has contacted Chris Abegglen about using the park; however, the street vibe is better. Quinn Bennion stated that this event fits well with the criteria used to evaluate what events are funded and the Council supported it in the amount of \$1000 last year. It was not specifically funded in this budget so any funding would come out of the miscellaneous fund. *Councilmember Nick Porter moved to approve the request for \$1000 sponsorship. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following roll call vote:*

Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

REQUEST APPROVAL OF EMERGENCY OPERATIONS PLAN - HEIDI LUNBERG: Heidi Lundberg, Uintah County Emergency Manager, reported that she has been working on updating the emergency plan. The purpose of the plan is to establish a comprehensive approach for mitigation, preparedness, response and recovery in an emergency situation. The new census data and airport operation information has been incorporated into the update. *Councilmember Nick Porter moved to approve the update emergency operations plan. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Porter, Foley, Everett and O'Driscoll voting in favor.*

CONSIDER APPROVAL OF INDEMNITY AGREEMENT WITH UINTAH SCHOOL DISTRICT TO PROVIDE BUSES FOR DINO-HALF MARATHON: Allen Parker explained that each year the City helps with the Dino half marathon by contracting with the School District for bussing services. The School District is the only agency that has enough buses to transport the participants up the canyon to the start of the race. There is not enough space to park cars at the trail head, so the runners have to be transported. The School District cannot contract with a private entity, so the City sponsors the buses and contracts with Runtastic to provide transportation. Councilmember Robin O'Driscoll verified that Runtastic pays the cost for the buses. Allen Parker answered yes. After further discussion, *Councilmember Nick Porter moved to approve the Indemnity Agreement with Uintah School District to provide transportation for the*

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Dino half marathon. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:

Councilmember O’Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley..... aye.

CONSIDER APPROVAL OF PARTICIPATION AGREEMENT WITH RUNTASTIC EVENTS FOR BUSES FOR DINO-HALF MARATHON: Allen Parker stated this is the agreement with Runtastic that outlines payment and insurance requirements. *Councilmember Nick Porter moved to approve the agreement with Runtastic for transportation for the Dino half marathon. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

Councilmember O’Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley..... aye.

CONSIDER APPROVAL OF THE SELECTION OF BRANDON JOHNSON OF FARNSWORTH, JOHNSON PLLC AS BOND COUNSEL FOR VERNAL CITY: Quinn Bennion reported that the City sent out a request for proposals to hire an attorney to serve as bond counsel and three responses were received. In reviewing the proposals, it is being recommended that the City contract with Brandon Johnson as the attorney to serve as the bond counsel for the City. *Councilmember Dave Everett moved to approve the agreement with Brandon Johnson. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

Councilmember O’Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley..... aye.

Quinn Bennion explained that the following item was supposed to be published as a public hearing and did not get listed on the agenda as a hearing. The staff will republish it for a future meeting.

CONSIDER ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE BONDS - RESOLUTION NO. 2022-05 JAPHETH MCGEE AND BRANDON JOHNSON: Quinn Bennion stated that Brandon Johnson was going to join the meeting electronically, however, he is not able to do so. The notice of bonds to be issued was published and started the 30 day period for objections to the bonds. Pam Cinch asked if the resolution for the bonds could be approved before the public hearing is held and if the public can speak on this issue even though it is not noticed as a public hearing. Japheth McGee stated that a public hearing does not need to be held before the parameters resolution that shows the term and interest rate for the bonds. The resolution also authorizes the Mayor and City Manager to fine

tune the final resolution. Quinn Bennion explained that this resolution proposes that sales tax revenue be used to pay the bond payments as they are a stronger backed revenue source. The future funds from the downtown CRA will be pledged to pay the City from the CDRA. The bond funds will be used to pay for the façade grants being provided to improve the exterior of commercial buildings in the downtown area. Japheth Magee agreed that the City will receive a better interest rate by using sales tax. The City has agreements in place with the County, School District and other Water Districts to use future increased taxes as those agencies see the vision and need of revitalizing downtown property. The values of property downtown have decreased over the last 5 years. Quinn Bennion agreed that the CDRA will use future tax dollars as of result of improvements that occur within the CRA to pay off the bonds. Japheth Magee advised that the bonds can be structures to pay interest only for the first few years until the increment amount increases to reimburse the City. Mayor Doug Hammond invited citizens to speak on this item.

Pam Clinch, Uintah County Resident, stated her questions had been answered. Japheth Magee stated the public hearing can be held any time before the bonds are signed. He noted that bids were solicited for this obligation and two banks submitted interest. The best one is from Capital One Bank and the other was from Webster Bank. He suggested that the public hearing information in the Resolution be stricken and ratify the notice of public hearing. Councilmember Dave Everett moved to approve the modified Resolution No. 2022-05 and ratify the notice of public hearing. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:

Councilmember O’Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley.....aye.

REQUEST TO CHANGE TIER STRUCTURE AND AMEND THE VERNAL CITY SALARY SCHEDULE – RESOLUTION NO. 2022-03: Quinn Bennion presented a new tier structure for the public works, utilities, government buildings and airport employees to allow employees to advance in their positions. The current practice when someone is hired within those departments, they stay in the same department and rarely advance. In the police department, the officer have a tiered structure allowing them to advance in their career as a police officer and the other departments are proposing they be allowed to have the same type of structure. This gives encouragement to the employees to advance in their positions with additional training and years of service. Keith Despain confirmed they have spent a lot of hours organizing this tier structure providing a way for employees to have ownership of their career path for advancement. It does require an employee to be in their position for a minimum of five years and complete in-house certifications along with other training and testing, and the employee has to take the initiative to progress. The benefit to the City is highly qualified individuals who may stay around longer. Quinn Bennion stated there is a pay increase of 5% for each grade change which is a very reasonable approach. Councilmember Corey Foley asked how it would work if someone was hired at a level 3. Quinn Bennion stated that it would be fairly rare as most often a position is advertised at entry level or Tier I so they have room to progress. Keith Despain stated the job descriptions would be changed to reflect the new system. Councilmember Robin O’Driscoll commented that she liked making the employees responsible for their own advancement.

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Councilmember Dave Everett moved to approve Resolution No. 2022-03 as presented. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following roll call vote:

Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley..... aye.

REQUEST TO AMEND THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES – ADDING CAREER LADDER PROVISIONS - RESOLUTION NO. 2022-06:

Keith Despain explained that this Resolution outlines the philosophy and objectives for the career ladder program that was just presented with the Tiered system. *Councilmember Corey Foley moved to approve Resolution No. 2022-06. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley..... aye.

Keith Despain thanked the Council for the support of the employees.

REQUEST APPROVAL OF PLANNING COMMISSION APPOINTMENT: Allen Parker reminded the Council that there are vacancies on the Planning Commission and Mr. Randal Mills has voiced his interest in serving. He recommended Mr. Mills be appointed as an alternate. *Councilmember Nick Porter moved to approve appointing Randal Mills as an alternate member of the Planning Commission. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

Councilmember O'Driscoll.....aye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Foley..... aye.

UPDATE ON GREEN DINOSAUR OPTIONS: Wayne Smith, Facilities Manager, explained that the T-Rex green dinosaur is in need of repair. Initially a cost of \$10,000 was placed in the budget; however, that is not enough funding. Wayne showed pictures of the deterioration of the dinosaur statue and noted that the only thing in good shape is the metal interior. The T-Rex faces the highway and cannot be moved because of the size and deterioration. Stucco professionals have inspected the dinosaur and provided an estimate of around \$30,000 to strip it down and fix the surface with synthetic fibers that would be flexible and weather proof. Then the statue can be painted to be more authentic. He pointed out that Naples purchased a dinosaur from China that is approximately the same size and the City could consider that option. Councilmember Nick Porter asked how long it would take. Wayne Smith stated it would be quite a while before one could be delivered. He stated the biggest cost is shipping so if more were purchased together the shipping

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would not be as high. Councilmember Robin O’Driscoll asked if the City owns the T-Rex. Quinn Bennion answered yes, and advised that there a lot of nostalgia and history behind T-Rex. He suggested the Council consider taking a poll to see who wants to save the dinosaur or replace it. Councilmember Corey Foley stated it is in a dangerous position for families to take pictures. Quinn Bennion disclosed that Wayne was a stucco contractor and could make the repairs. However, the rest of his duties would suffer. The consensus of the Council was that was not an option. Mayor Doug Hammond stressed that the Council would need to be prepared to answer phone calls if the dinosaur was replaced. Councilmember Dave Everett stated he liked the idea of a poll so the Council would know how important the green dino is to the public. If there is minimal support, then the City could go the route of getting a new one. Councilmember Nick Porter stated he des not like the fiberglass ones as they look cheap and possibly the City could invest in other types of art.

Brian Bloom, editor with the newspaper, stated he liked the idea of conducting a poll. Councilmember Corey Foley suggested the City put another \$5,000 in the budget and see if the community would fund the remainder. Councilmember Robin O’Driscoll noted that it will not fix the safety issue if the dinosaur is simply re-plastered as it is still in a bad spot. Camille Erickson suggested a fence be put up. Quinn Bennion stated there are limitations with what UDOT will allow next to the highway. There was some discussion regarding the decorating of the dinosaur. Kyle Hughes, Public Works employee, stated he has a unique view of the dinosaur as he has spent time working on it. Other areas in the Country know Vernal as dinosaur country and it brings people to Vernal to see all the dinosaurs. He stated they need to continue even if there is a new location. Quinn Bennion stated the staff will prepare a poll and bring the Council the results.

ADMINISTRATIVE REPORTS

Utah League of Cities and Towns Conference:

Quinn Bennion reported that the Mayor, Councilmember O’Driscoll and he will be gone for the next meeting as they will be at the ULCT conference in St. George.

Façade Grant:

Allen Parker reported that 50% of the \$175,000 set aside for the façade grant has been issued. Councilmember Corey Foley asked if any permits had been issued yet. Allen Parker answered not yet.

Springs project

Keith Despain explained that Strata have begun trenching to bury conduit for power and fiber to the water springs. The overhead crossing to the de-sander buildings will be the next step.

CDL Training:

Keith Despain reported that recent legislation has changed the requirements to obtain a commercial drivers license that impacts the City quite a bit. In the past you could study for the test and take the driving test. Now you must complete a training course from a certified site. In the Basin the only registered site is UBTECH that has an eight week course at a cost of \$3000.

1 **CLOSED SESSION:** *Councilmember Nick Porter moved to hold a strategy sessions to discuss*
2 *the purchase, exchange, or lease of real property, including any form of a water right or water*
3 *shares and return to open session once the discussion is completed. Councilmember Corey Foley*
4 *seconded the motion. The motion passed with the following roll call vote:*

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6 *Councilmember O’Driscoll.....aye;*
7 *Councilmember Everettaye;*
8 *Councilmember Porteraye;*
9 *Councilmember Foley.....aye.*

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11 **RECONVENE INTO OPEN SESSION:** The Council reconvened into open session.

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13 **REQUEST APPROVAL OF PURCHASE OF PROPERTY:** Quinn Bennion reported that
14 this item is not ready for approval.

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16 **ADJOURN:** There being no further business; *Councilmember Nick Porter moved to adjourn.*
17 *Councilmember Robin O’Driscoll seconded the motion. The motion passed with a unanimous*
18 *vote and the meeting was declared adjourned.*

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24 Mayor Doug Hammond

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26 ATTEST:

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29 _____
30 Roxanne Behunin, City Recorder

(S E A L)