

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
JUNE 2, 2021 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,  
Utah 84078.

**PRESENT:** Councilmembers Dave Everett, Bert Clark, Nicholas Porter, Travis Allan, and Ted Munford and Mayor Doug Hammond.

**WELCOME:** Mayor Doug Hammond welcomed everyone to the meeting.

**INVOCATION OR UPLIFTING THOUGHT:** The invocation was given by Councilmember Ted Munford.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Travis Allan.

**APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF MAY 19, 2021:** *Councilmember Dave Everett moved to approve the minutes of May 19, 2021 regular meeting. Councilmember Nick Porter seconded the motion. The motion passed with Councilmembers Everett, Munford, Allan, Porter and Clark voting in favor.*

**APPROVAL OF CITY COUNCIL SPECIAL BUDGET WORKSHOP MEETING MINUTES OF MAY 19, 2021:** *Councilmember Bert Clark moved to approve the minutes of May 19, 2021 special meeting. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Everett, Munford, Allan, Porter and Clark voting in favor.*

**DISCUSSION OF ROAD WIDTH FOR NEW SUBDIVISION:** Allen Parker displayed a map of a roadway in the City off Escalante Drive named Gina's Way around 750 West. He pointed out a half completed roadway that goes to the south and the concern is the width of that road. There is a big vacant parcel to the south and the owners would like to develop it. The code requires legal access and this is the only road accessing that parcel. There is also a parcel number for the road continuation that is very complicated due to a court ruling that put it in the name of the City which requires the owners to work with the City. The rectangular portion of the road next to the vacant parcel has a width of 60 feet which meets City code. The top portion of the road in the private subdivision pushes that width down to 45 feet with the asphalted travel way being 35 feet wide which is wide enough for two travel lanes. The question is does the City accept the infrastructure when it is narrower than what is specified in the subdivision code. There are three houses on the opposite side of the road from the vacant property that already take access off the narrow road. Mr. Parker showed a drawing of the proposed development. The density would be the same as an R-1 zone although it is zoned R-4 so traffic would not be a large impact. The area needed to widen the first portion of the road is common ownership so everyone in the HOA would have to agree along with all the mortgage companies to give up 12 more feet for asphalt. The developer, represented by Cable Murray is asking the Council to accept the road of 45 feet if built within the next 3 years. If not built in that amount of time, they will have to come back and ask for consideration again. Councilmember Bert Clark expressed his concern that this subdivision will only have one access and there could be significant blockage if one of those homes catches fire. Also with snow and garbage removal the width of the road could cause problems. If a resident

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is pulling a trailer or parks recreational vehicles along that street there could be safety issues. Allen Parker stated that this development meets City code with only one access due to the length of the street. Mayor Doug Hammond asked why they did not connect to the other street to the east. Allen Parker noted that there is a parcel for a connecting street that is not wide enough and is not a public access as it is owned by the Homeowners Association. Mayor Doug Hammond asked if the City would have to condemn the side yard of one lot to obtain the 60 feet for the road. Allen Parker stated he is suggesting the City accept the current width. Councilmember Ted Munford stated there is enough room for parking on one side of that road; however, people will park on both sides. Allen Parker stated it would be striped and signs would be installed. Councilmember Bert Clark stated they will still park there. Councilmember Travis Allan asked how those other homes were built there without a 60 foot road. Allen Parker stated it was a private road. The City took over ownership of Escalante Drive only and had to allow legal access for those 3 houses, however, the City does not maintain that street. There was some discussion of the complicated condemnation process to widen the street on one parcel and require the developer to build a 60 foot wide street the remainder of the way. Councilmember Ted Munford stated he would be uncomfortable with that bottleneck. He suggested the developer be asked to work with the HOA to find a solution. Allen Parker stated there has been negotiations. Councilmember Bert Clark asked the staff to explain eminent domain. Quinn Bennion explained that the City has this power for purposes of public good. For example if the City needed to widen a highway and the owners of the property will not sell the City has the ability to take the property and pay fair market value. This power needs to be used as a last resort. Councilmember Travis Allan stated he would not want to go through that process and then the property is not developed. Allen Parker stated that is why it would have a time frame. He noted that the court order to release the road to the City is complicated and the neighboring property owner will not oppose the development if the number of homes is limited. Councilmember Ted Munford stated he prefers the City remain with the current guidelines of 60 feet and let the developer figure it out with the HOA. Cable Murray with Timberline Engineering and Land surveying, stated he is representing the owner and potential developers. They looked at different scenarios of what could be developed and what would sell and this is the best option. The property is zoned high density, however that is not the intent of this developer. The property could be sold which could change the subdivision. However, the bottleneck is an existing problem not caused by the developer. The existing road has curb, gutter and sidewalk on that first lot going into Gina's way. This development gives the opportunity to fill in parcels within the City. Also, any residents that want to park on the street, will do so. The developer does not have a problem making the new section of the road wider even though that is wider than County standards. The three year window is needed to work on the drainage issue with the Bureau of Reclamation. Councilmember Ted Munford stated his concern is public safety and there are rules in place for a reason. This road was built substandard and now the original developer is expecting the City to accept it. Allen Parker suggested this item be put before the Planning Commission for a recommendation. Quinn Bennion agreed this is an example of a private developer who is long gone and left the residents with things that they want taken care of. Now the City needs to figure out a solution. He noted that this is the widest street requirement he

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has seen in his career. Quinn asked if the residents want this development. Cable Murray stated this will be a standard subdivision without an HOA and they may not be in favor if having neighbors. Councilmember Dave Everett stated he is in favor of hearing from the Planning Commission first before making a final decision on this issue. After further discussion, the consensus of the Council was to have the Planning Commission make a recommendation.

**PUBLIC HEARING: FY2022 BUDGET:** Mayor Doug Hammond opened the public hearing to receive comments on the upcoming budget. Mike Davis, Finance Director, gave a brief synopsis of what is in this budget. The Council adopted the tentative budget and has discussed changes to each department budget. The employee buy-out and paying off some of the debt service has made this budget better than last year. He noted that some capital items were added including three vehicles, a camera system upgrade, computers, chip and seal, and upgrades to City Hall are all included in this budget. The City has not bought a vehicle for over five years so these capital improvement items are needed. There is also one part-time position and a temporary employee that has been added. The Justice Court changes are still in progress so no changes have been made yet to that budget. Councilmember Bert Clark asked about the School District reimbursement for police services. Mike Davis stated the City currently has one resource officer and the District will pay for two at a cost of \$103,000 each. He noted that one large capital project is \$300,000 for safety sidewalks and safe routes to schools to fix needed infrastructure. Quinn Bennion reminded the Council that the City received a \$1.8 million dollar grant for 500 North Street with the City required to paying 7% of the cost. The funds will need to be put in the FY2023 budget. Another capital item is the match for the sidewalk on 500 West from 300 North to 400 North. The City match is \$29,000 and UDOT will pay \$89,000. Councilmember Travis Allan asked about the aerial lift truck that was requested. Mike Davis answered that funds will be placed in the equipment replacement fund to replaced needed equipment. Quinn Bennion stated that item will be on hold for an assessment from the public works director. Mike Davis explained that this budget still requires the City to use \$391,000 of general unexpended funds. Councilmember Bert Clark asked how close that will be to staying within the guidelines of the State. Mike Davis explained that the unexpended fund amount can now be 35% which is \$3.5 million dollars. Last year the City was over the \$2.5 million which was the 25%. Even if the projections are off slightly, the City will be in good shape. Quinn Bennion brought the Council's attention to the event sponsorships and noted that these amounts were decreased several years ago. He noted that there will still need to be some budget decisions on the ARPA funds and the downtown plan. Councilmember Ted Munford thanked the staff for presenting a positive budget. Quinn Bennion reminded the Council regarding the homeless tax that the City will need to pay again with the closing of the homeless shelter. The cost to the City will be \$21,000. In the past, the City used property tax to pay this fee and asked if the City wanted to hold a truth in taxation hearing again to collect to pay for this tax or take it out of the general fund. Councilmember Travis Allan voiced his frustration that the homeless shelter was closed and now the residents will have to pay to take care of the homeless on the Wasatch Front. Councilmember Nick Porter clarified that a truth in taxation hearing is used to increase taxes. Quinn Bennion answered yes. Councilmember Porter asked why they would increase taxes for such a small amount unless it is

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to shed light on the issues. Quinn Bennion answered that it all adds up. After further discussion, Councilmember Nick Porter stated he is neutral on the truth in taxation hearing and the remainder of the Council wanted to conduct the hearing. There being no public comments on the budget, Mayor Doug Hammond closed the public hearing.

**DISCUSSION OF MAYOR’S WALK:** Quinn Bennion stated this event has been held at the recreation center and was organized by Shauna Jo Eves who has now left the area. The idea came up of holding the Halloween Mayor’s walk downtown along Main Street and shutting down the street to traffic from 500 West to 500 East and business’s not in that area can set up a table in the middle of the street to give out candy. Councilmember Ted Munford stated having the traffic blocked off would be essential and would give more room and accommodate more people. Councilmember Dave Everett stated the City should try it and see what works. Quinn Bennion stated he would talk with staff and downtown businesses to see if there are any concerns and move forward with moving the Mayor’s Walk.

**ADMINISTRATIVE REPORTS**

Court Transition:

Quinn Bennion reported that the court transition has to be done by July 1. Judge Petry has retired this week and Judge Richards will start hearing cases from all three jurisdictions at the County building.

Flower watering:

The flowers are out and there has been concern that with drought and lack of water the City should not be using culinary water for the flowers. It takes around 4000 gallons a day to water the flowers which is the same as a normal size lawn. The City does have water that is captured under City Hall and pumped out into the storm drain so that water will be reclaimed and used for the flowers.

**CLOSED SESSION:** *Councilmember Bert Clark moved to go into closed session to discuss pending or reasonably imminent litigation; discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, and hold a discussion of the character, professional competence, or physical or mental health of an individual and reconvene into open session once the discussions were completed. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

**OPEN SESSION:** The Council reconvened back into open session.

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**REVIEW OF PROPOSALS FOR PROPERTY AND CASUALTY INSURANCE:**

*Councilmember Ted Munford moved to reject all the bids for the property and casualty insurance and negotiate with Utah Local Governments Trust for insurance coverage for this next year and rebid it in the future. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

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

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

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Mayor Doug Hammond

ATTEST:

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Roxanne Behunin, Deputy Recorder

( S E A L )