

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD SEPTEMBER 21, 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, Ted Munford, and Corey Foley and Mayor Doug Hammond.

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Corey Foley.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Ted Munford.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF SEPTEMBER 7, 2022: *Councilmember Corey Foley moved to approve the minutes of September 7, 2022. Councilmember Robin O’Driscoll seconded the motion. The motion passed with Councilmembers Everett, O’Driscoll, Munford, Foley and Porter voting in favor.*

REQUEST FOR FUNDING FOR FRIGHTFUL FAMILY FILM EVENT – MATT FOLEY FROM V-6: Matt Foley explained they are planning a fun event for October 8th starting at 5 pm. at the library park. Two Halloween movies, Hocus Pocus and Halloween Mansion, will be played. There will be food trucks and the opening weekend of Hotel Vernal Haunt. The hope is to turn this into an annual event with an expected crowd of 500 to 1000 people. Sponsors are being invited to set up a booth. He noted that Strata will be handing out free popcorn and Ashley Valley Medical will host a meet and greet with the new pediatrician. Councilmember Ted Munford asked for a profit / loss statement. Matt Foley stated the budget is \$8000 which includes marketing using radio, print and social media, video production and hiring a sound engineer. The hope is to break even this first year. Councilmember Corey Foley asked what was available in the City budget. Quinn Bennion stated there are funds in the events miscellaneous budget that was bumped up to \$8500. Carl Morton reported only \$2350 has been awarded to the baseball tournament. Several other events that will be asking for funds are the Storytelling Festival, Outlaw Trail and Rock-the-Ride. Councilmember Dave Everett stated he felt comfortable sponsoring this event as a start-up. *He moved to sponsor this event in the amount of \$500. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember O’Driscoll.....aye;*
- Councilmember Everettaye;*
- Councilmember Porteraye;*
- Councilmember Foley.....aye.*

Councilmember Ted Munford requested a profit / loss statement be submitted after the event and if it is profitable, the City not sponsor again as this is a for-profit company.

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Local education:

Mr. Jeff Shewell reported that he took his granddaughter to the public the library to learn about rural history. While he was there, he noticed that diversity and equity issues are being pushed in the children sections. These issues are better suited to the adults and he requested the Council consider addressing this issue. Quinn Bennion thanked Mr. Shewell for his comments and asked him to speak the the Library Board and the County. The Council thanked Mr. Shewell for his observations.

PUBLIC HEARING: CONSIDER APPROVAL OF A MINOR SUBDIVISION AMENDMENT AT 1820 WEST 675 SOUTH FOR JARED BREWER:

Allen Parker explained the City received a request from Jared Brewer to amend an existing subdivision located at 1820 West 675 South. The request is to take an existing diagonal lot line and move it to be parallel to the lot below. No homes would be impacted by this change. The Planning Commission has reviewed this request and is forwarding a positive recommendation. Councilmember Corey Foley stated there were no concerns from the Planning Commission and this would simply square up the property. Mayor Doug Hammond opened the public hearing. There being no public comments, Mayor Hammond closed the public hearing. *Councilmember Ted Munford moved to approve the minor subdivision for property at 1820 West 675 South as presented. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

PUBLIC HEARING: REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, SECTIONS 16.04.195 DWELLING, MULTIPLE FAMILY, 16.42.035 USES, 16.44.035 USES, 16.48.030 USES, 16.50.020 USES, 16.52.040 USES AND ADDING SECTION 16.20.405 HOTEL, MOTEL, ORDINANCE NO. 2022-14:

Allen Parker stated this Ordinance is an effort to clean-up certain sections of the code by moving the regulations to the correct section. One change refers to a multiple family dwelling such as a motel / hotel that should be 4 units or more as reflected in the rest of the code. The regulations for a hotel / motel will be moved to the proper location. Each zone has a use table that spells out what is allowed in that zone. Another section references the regulations to mitigate any problems created by uses in the zones. The Planning Commission held a public hearing and is forwarding a positive recommendation. Mayor Doug Hammond opened the public hearing. There being no public comments, Mayor Hammond closed the public hearing. *Councilmember Nick Porter moved to approve Ord 2022-14 with one noted change. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

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

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Councilmember Foley..... aye.

**PUBLIC HEARING: REQUEST FROM MOTT & SMUIN TO REZONE PROPERTY
LOCATED AT 109 SOUTH VERNAL AVENUE FROM CP-1 (COMMERCIAL) TO MX
(MIXED USE) ZONE ORDINANCE 2022-16:**

Allen Parker reported that the City received a request to rezone property at 109 South Vernal Avenue from commercial to mixed use. This property is just north of Curry Manor and is the second request received to rezone to the MX zone. This zone favors residential uses with the allowance of retail uses. The purpose of the rezone is to allow condominiums. Adjoining uses include residential to the east and commercial to the north and west and the south. The general plan allows mixed uses in the downtown area. Councilmember Dave Everett noted that additional housing is needed. Councilmember Corey Foley stated he is excited for the vision the with the lower level having shopping and housing above to support downtown events and businesses. Mayor Doug Hammond opened the public hearing. There being no public comments, Mayor Hammond closed the public hearing. *Councilmember Nick Porter moved to approve Ordinance No. 2022-16 rezoning the property at 109 South Vernal Avenue to the MX mixed use zone. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST APPROVAL OF BID FOR AIRPORT PARKING LOT PROJECT:

Ken Campbell, airport director, explained that the airport is proposing to take out the island in front of the terminal and add a third lane for traffic. Bids were requested and two contractors submitted bids. The low bid of \$118,207.08 was submitted by CKC Operations out of Altamont. The crew will remove the island and the contractor will pave it and add a four foot wide drainage line to the east. *Councilmember Corey Foley moved to approve the bid and agreement with CKC operations for the airport parking lot project. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

**CONSIDER APPROVAL OF AN ENGINEERING DESIGN SERVICES AGREEMENT
WITH SUNRISE ENGINEERING FOR VERNAL AVENUE PROJECT:**

Keith Despain explained the City applied for funding from the Community Impact Board in February to replace the water lines going north and south along 100 East and 200 East. This agreement with Sunrise Engineering is for the design, bidding and construction management of those 4 water lines. The design cost is a lump sum basis of \$58,000 and the construction and inspection cost will be based on the hours needed. *Councilmember Robin O’Driscoll moved to approve the*

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agreement with Sunrise Engineering for the water line project. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

DISCUSSION FOR IMPACT FEE STUDY & IFFP REQUIREMENT: Allen Parker explained that the City charges an impact fee for new development for water and sewer. The funds are used to maintain the same level of services to existing residents when new construction impacts the lines or water tanks. The last study for impact fees was conducted in 2004, and the laws have changed. In order to continue to collect those fees and offset impacts to the system a new study is needed to re-assess the impact to the systems. Zions Public Finance has done quite a few of these initial studies at a cost of approximately \$15,000. Then an impact facilities plan or IFFP has to be done to analyze the facilities to come up with the correct impact fee amount so the system is not degraded due to new development. Councilmember Dave Everett asked what the expected total cost would be to complete the study. Allen Parker stated it would be around \$45,000 for the IFFP and \$15,000 for Zions Bank. This project has not been budgeted this year. Quinn Bennion asked for direction to move forward with exact contract estimates or do it later. Councilmember Nick Porter stated it is important to charge the actual cost of service as the City currently has to borrow funds or get a grant to repair the utility lines so it is also important to have good accurate impact fees. Councilmember Corey Foley stated it needs to be consistent with the other entities involved also. Allen Parker stated the study will show the maximum amount that can be charged and the Council can set the fee to what is appropriate for the area. The consensus of the Council was to get a firm proposal for this study.

DISCUSSION OF T-REX PAINT DESIGN: Wayne Smith reported that the City held a survey to get the opinion of the community on how the T-Rex dinosaur should be painted. There were 1300 respondents and it was not conclusive with half the respondents wanting it painted the same as currently and the other half wanting it painted in the original design. Councilmember Ted Munford stated the family wants it painted the retro style. Councilmember Robin O’Driscoll stated she is good with letting the family decide since the poll came in so close.

DISCUSSION ABOUT LEASE OF CITY BUILDING ON 100 WEST: Quinn Bennion reminded the Council that the City owns the small building on 100 West that has one renter on the north side. The other side is vacant. There has been significant interest to purchase the property. Quinn suggested the City take proposals and look at the use along with the price to make sure it will match the downtown vision. In the meantime the City can rent the south section until all the construction is completed. The Council agreed with that proposal.

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ADMINISTRATIVE REPORTS:

October 5, 2022 Council meeting:

Mayor Hammond reported that he would not be available for the next meeting. Quinn Bennion stated several of the staff and Council will be at the Utah League of Cities and Towns conference in Salt Lake. After discussion, the Council stated they can still hold the meeting if necessary.

Innovation Hub

Quinn Bennion explained the Women’s Business Center of Utah was hosted by the Innovation Hub and recognized outstanding business owners.

SS4-A Grant

Quinn Bennion stated the staff met the deadline for the grant submission and hope to hear around January if the funds will be awarded.

CLOSED SESSION: *Councilmember Corey Foley moved to go into closed session to hold a strategy session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares and return to open session after the discussion. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

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

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

Mayor Doug Hammond

ATTEST:

Roxanne Behunin, City Recorder

(S E A L)