

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

PRESENT: Councilmembers Nicholas Porter, Ted Munford, Robin O’Driscoll and Corey Foley and Mayor Doug Hammond. Councilmember Dave Everett was excused.

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 Nick Porter.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF JUNE 15, 2022:
Councilmember Nick Porter moved to approve the minutes of June 15, 2022. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers O’Driscoll, Munford, Foley and Porter voting in favor.

APPROVAL OF CITY COUNCIL SPECIAL MEETING MINUTES OF JULY 29, 2022:
Councilmember Robin O’Driscoll moved to approve the minutes of July 29, 2022. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers O’Driscoll, Munford, Foley and Porter voting in favor.

REQUEST FOR FUNDING FOR A REGIONAL TOURNAMENT COMMUNITY EVENT - DAN MORTENSON: Dan Mortensen explained the Vernal American Legion Team will be hosting a regional baseball tournament on August 4th thru the 9th. The food prices are higher than expected so the budget needs to increase from what was originally projected. There will be 8 teams with 18 players and 4 coaches which equals 54 hotel rooms for 5 days. The Vernal team is scheduled to play the team from Alaska the first night. This is only the 3rd time this tournament has been held in Utah. He noted that the County will be a sponsor with \$10,000 and the remainder of the funds will come from the concession stand and gate fees. Quinn Bennion reported that this event was not specifically budgeted although the City does contribute to community events and festivals such as this. There is funding in the miscellaneous budget in the amount of \$8500 that has to last the entire year. Councilmember Ted Munford stated the City has helped out youth baseball tournaments in the past in the amount of \$1850. Councilmember Nick Porter stated he would be in favor of \$2000. Councilmember Corey Foley agreed that this event fits the criteria for sponsorship and will help the airport with enplanements. After further discussion, *Councilmember Robin O’Driscoll moved to give a \$2500 sponsorship for the American Legion regional baseball tournament. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR FUNDING FOR FRIENDS AGAINST FAMILY VIOLENCE CONFERENCE - CASSIE OBRIEN:

Cassie Obrien explained that she is a victim advocate with the women’s shelter which is under the management of the non-profit Friends Against Family Violence. She explained their mission and purpose. Every October the domestic violence conference is held here in Vernal to train law enforcement, advocates, school counselors, attorneys etc. Carbon County has a new strategy that will be taught and prominent keynote speakers who are experts in trauma and sexual assault are scheduled. The conference in the past has been free to the attendees, and this year there will be a small fee to help cover the cost of the speakers. The cost for the keynote speaker is substantial and she asked the Council to consider being a sponsor to help cover that cost. Councilmember Ted Munford stated the City is in favor of events that bring people to the area, however, they try to stay away from sponsoring conferences as there are too many. Cassie Obrien stated the police department is providing the meeting space at the conference center. She noted that most of the attendees are members of the community. Councilmember Robin O’Driscoll asked if they had considered increasing the registration fee. Cassie Obrien stated the fear is law enforcement will not pay it. The Council suggested the fee be increased to \$40. Councilmember Corey Foley suggested this item be tabled to see what can be done to help without opening the door for conference sponsorships. Councilmember Nick Porter stated this is a fantastic conference and should be helped. Councilmember Ted Munford asked her to wait until the next meeting to research and find a way to support and avoid trouble. Quinn Bennion agreed this is a good purpose. He noted that the City does support the victim advocacy program. The cost for the program is only covered 30% by a grant and the City pays the rest. Also, the shelter is owned by the City and covers all maintenance. In 2019 the State was funding the crisis shelter operations and this local group approached them to take over. The State agreed to turn it over and help fund it for 5 years. *Councilmember Ted Munford moved to table this request until the next meeting after more research has been done. Councilmember Robin O’Driscoll seconded the motion. The motion passed with Councilmembers Munford, O’Driscoll, Porter and Foley voting in favor.*

CONSIDER APPROVAL OF CONTRACT WITH CHIVCON AND NOTICE TO PROCEED FOR ZION’S BLOCK UTILITY CONSTRUCTION PROJECT:

Keith Despain stated that Chivcon has now gotten their bonds and the next step is to approve the contract with them and issue a notice to proceed. The agreement is a standard nationally written contract outlining the specifications to install the utilities in the Zions Block. There are several blanks in the agreement because the start date has not been established yet. There is a 60-day window for the contract completion once the start date is set. Councilmember Corey Foley asked if 60 days is realistic as the contract has liquidating damages if it is not completed on time. Keith Despain

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answered that it is realistic even though there are technical aspects to this job. The utilities are not going long distances and there is nothing big in the way. The contractor does not have any concerns with the time frame. If something unforeseen happens a change order can be issues to extend the time. *Councilmember Ted Munford moved to approve the contract with Chivcon and issue the notice to proceed. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR APPROVAL OF GBS AGREEMENT: Quinn Bennion explained that this is a standard service agreement with GBS, who is the City’s broker for health insurance. GBS has requested this agreement. There is no specific term and the City can cancel at any time. Councilmember Robin O’Driscoll noted that they collect their fee from the insurance company. Dennis Judd stated that one section of the agreement that stands out is the section that they are not liable to the City if anything goes wrong. In this case, this clause does not create any difficulty. Councilmember Ted Munford asked what the exposure is. Dennis Judd answered that is why he is not concerned as there is not any liability. *Councilmember Nick Porter moved to approve the agreement. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

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

CONSIDER CREATION OF SPECIAL ASSESSMENT AREA – RESOLUTION NO. 2022-15: Quinn Bennion explained that the next three items all relate to the special assessment area (SAA) to provide parking to businesses in the Zions Bank block downtown. This will be the first SAA for Vernal City under the new statute. The first item is the creation of the assessment area. It has been determined that the best way to assess the parking maintenance is to use square footage of the buildings. Each business will be charged one parking stall for every 600 square feet and will be given credit for each private stall. Councilmember Ted Munford stated the reality is they will use more and it is very flexible. If the SAA is established, a Board of Equalization has to be appointed to hold three hearings to give property owners an opportunity to question or appeal their assessment. State law allows the Council to appoint the Board in different ways. He suggested the Council consider appointing someone to represent the Council such as the City Manager or assistant, a project engineer and someone from the treasurers office. Dennis Judd pointed out that this is the first State-wide SAA where the entity is not charging for the cost of

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installation. The City is covering the \$1.3 million dollar cost which makes it a good deal for the businesses. The property owners were given the opportunity to protest and no objections were received. Quinn Bennion stated this process will start over again with the expansion into the Cobblerock Park block. Dennis Judd noted this is exciting for downtown Vernal and the fee will not start until the project is completed. *Councilmember Ted Munford moved to approve Resolution No. 2022-15 and create the parking special assessment area. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

CONSIDER APPROVAL OF NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARING: Quinn Bennion suggested the Board of Equalization hearings be held the first week in August – August 2nd, 3rd, and 4th. *Councilmember Nick Porter moved to approve the notice and hearing dates. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

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

APPOINT THE BOARD OF EQUALIZATION FOR THE SPECIAL ASSESSMENT AREA: *Councilmember Nick Porter moved to appoint a representative of the Council, a representative of the treasurer’s office and a representative of the engineer’s office as the Board of Equalization for the parking SAA. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

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

ADMINISTRATIVE REPORTS

T-Rex:

Councilmember Corey Foley reported that the T-Rex Committee met and discussed keeping the statue in the current position based on the cost to move it. The plan is to create a walking path with cement under his feet. The funds budgeted by the City will be used to fix the site

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including trimming the trees. Keith Despain commented that a decision will need to be made on decorations to limit damage and expense. Quinn Bennion stated the final recommendations will be brought to the Council for approval.

4th of July celebration:

Quinn Bennion stated there were a lot of great volunteers working on the Freedom Fest Committee. Councilmember Robin O’Driscoll asked Quinn to thank them at the next meeting. Quinn Bennion reported that there has been comments regarding the one entry in the parade who has different views than those of the majority in the community. The City’s response has been that it is a Chamber function, however, that is what freedom is about and the City does not dictate because they have a different view. Councilmember Nick Porter stated the City should not try to ban that type of speech simply because they have a different view.

ADJOURN: There being no further business; *Councilmember Nick Porter moved to adjourn. Councilmember Robin O’Driscoll 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)