

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
JANUARY 3, 2024 at 6:00 p.m. in the Vernal City Council room, 374 East Main,  
Vernal, Utah 84078.

**PRESENT:** Councilmembers Randel Mills, Robin O’Driscoll, Ted Munford, Ed Long, 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 Ted Munford.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Randel Mills.

**APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF DECEMBER 6, 2023:** *Councilmember Ted Munford moved to approve the minutes of December 6, 2023. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Mills, O’Driscoll, Munford, Foley and Long voting in favor.*

**CONSIDER APPROVAL OF AMENDMENT NO. 2 TO THE CONSTRUCTION MANAGEMENT / GENERAL CONTRACTOR WITH THE GREATEST MAXIMUM PRICE FOR COBBLEROCK PARKING LOT:** Keith Despain explained the background on this construction project. Bids were requested in 2022 and one bid was received that was higher than budgeted. The City was working with the same contractor on the Zions block so through discussion, the contract was negotiated with BHI to do both blocks. The Cobbleblock Block was split into phases and amendment #2 is the first phase. When it was realized the Zions Block would not be paved this fall, the idea was formed to focus on the Southeast corner of the block that will be a large parking area and get the underground utilities done so when the weather breaks both lots can be paved together. Two drawings were displayed showing the phases for the Cobbleblock Block parking project. Councilmember Ed Long asked for an explanation of the greatest maximum price. Keith Despain explained when the bids came in higher than expected under the normal design bid process the City hired a general contractor to go over the project and come up with changes to lower the price. The guarantee maximum price is what the general contractor comes up with for the final cost. It is still a construction project and subject to unforeseen items. Councilmember Corey Foley asked if there is a reason they do not do concrete instead of asphalt since asphalt is tough to get and concrete can be poured in the winter. Keith Despain stated they can look at it. Councilmember Ted Munford agreed. Keith Despain stated there is also a completion date of June 18<sup>th</sup>. Councilmember Ed Long asked what is the budget for these projects. Keith Despain went over the bid schedule with the GMP or phase I being \$1.4 million dollars and \$1.7 million for phase II. Quinn Bennion stated the cost can change with change orders especially with the higher anticipated cost of asphalt. Councilmember Randel Mills declared a conflict of interest for this issue. *Councilmember Robin O’Driscoll moved to approve Amendment #2 for the contract with BHI for the Cobbleblock Block parking lot project in the amount of \$1,433,999.75. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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*Councilmember Munford.....aye;*  
*Councilmember Mills.....abstained;*  
*Councilmember O’Driscoll.....aye;*  
*Councilmember Long .....aye;*  
*Councilmember Foley..... aye.*

**APPOINTMENT OF REPRESENTATIVE ON THE MOSQUITO ABATEMENT DISTRICT:** Mayor Doug Hammond presented the assignment sheet for the Council appointments for 2024 and noted that he is recommending appointing Ted Munford to the Mosquito Abatement District. *Councilmember Ted Munford moved to accept the appointment. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Mills.....aye;*  
*Councilmember O’Driscoll.....aye;*  
*Councilmember Long .....aye;*  
*Councilmember Foley..... aye.*

**CITY COUNCIL COMMITTEE APPOINTMENTS FOR 2024:** Mayor Doug Hammond noted there are still a few blank spots on the committee appointments for this year. The Uintah Assistance Council will have Dave Everett remain serving for three months during the transition as it is not known if a Councilmember is needed to serve on that board. *Councilmember Corey Foley moved to approve the appointments for 2024 as presented. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Mills.....aye;*  
*Councilmember O’Driscoll.....aye;*  
*Councilmember Long .....aye;*  
*Councilmember Foley..... aye.*

**CONSIDER APPROVAL OF REGULATIONS REGARDING PARADES- ORDINANCE NO 2024-03:** Mike Harrington presented a draft ordinance outlining the regulations for parades. The current code allows discretion to the police chief, while the suggested code gives a more general approach with the ability to demonstrate or celebrate and still make sure it is not too much of a burden for the City. A parade permit is required and there is a cost. Holding the parade on Highway 40 is the most expensive street, however, there is an obligation exemption to provide flexibility. Councilmember Randel Mills asked who approves the permits and exemptions. Mike Harrington answered the City Manager and it can be appealed to the Council. Quinn Bennion stated the permit requires approval from UDOT and review from the

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street and police departments before approval. Councilmember Ed Long noted there are protections for parade organizers and participants and asked if there is any protection for the City or local businesses that may be damaged or have something adverse happen because of the parade. Mike Harrington pointed out in part A the organizer must provide general liability insurance coverage and indemnification if they damage properties. Councilmember Ed Long stated he is more concerned with spectators that may get energetic and potentially create issues. Mike Harrington stated unfortunately the City cannot hold event organizers responsible for spectators. There was some discussion regarding the cost of the insurance. Councilmember Ted Munford asked if there needed to be language for indecent exposure or will other laws cover that. Mike Harrington stated they have to give assurances there will be nothing obscene and there is quite a bid of case law on how far the City can go to regulate items that offend this communities standards without infringing on 1<sup>st</sup> amendment rights. Councilmember Ed Long asked if the City will be aware of what will be in the parade that may be challenging. Mike Harrington stated the organizers will have to give a general description on the permit. There will also be police presence and they will be train on what is allowed. Quinn Bennion reported there are 4 traditional parades that are organized by the Chamber of Commerce, a non-profit church or the School District and they can decide if an entry is accepted. *Councilmember Ted Munford moved to approve Ordinance No. 2024-03. Councilmember Robin O’Driscoll seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Mills.....aye;*  
*Councilmember O’Driscoll.....aye;*  
*Councilmember Long .....aye;*  
*Councilmember Foley.....aye.*

**REQUEST APPROVAL OF AGREEMENT WITH STRATA NETWORKS FOR PHONE SYSTEM:** Quinn Bennion reminded the Council that the City phone system is failing so bids were received to replace it. The best option was decided to have less desk phones with more cell phones as communication has changed. The cost to replace the office phones is \$11,300 for 35 phones compared to the current 80 phones. The majority of the phones will be in the police department as they need the ability to record. Councilmember Ted Munford reported that a committee was formed to review options and they took a lot of time reviewing systems. After further discussion, *Councilmember Ted Munford moved to approve the agreement with Strata Networks. Councilmember Ed Long seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Mills.....aye;*  
*Councilmember O’Driscoll.....aye;*  
*Councilmember Long .....aye;*  
*Councilmember Foley.....aye.*

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**ADMINISTRATIVE REPORTS**

Wellness Challenge:

Quinn Bennion explained there is a new initiative with the Wellness Committee called the no sugar challenge. It is City organized and starts January 5<sup>th</sup> and goes through March 29th.

Local Officials Day:

Quinn Bennion reported that Local Officials Day is scheduled for January 17<sup>th</sup>. The event includes lunch with the Legislators.

Small Town Comeback:

Quinn reminded the Council to view the joint promotional videos named Small Town Comeback. There is a new video out every Wednesday that showcased the revival of downtown.

**CLOSED SESSION:** *Councilmember Ted Munford moved to go into closed session to hold a strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, discuss the sale 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. Councilmember Randel Mills seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Mills.....aye;*  
*Councilmember O’Driscoll.....aye;*  
*Councilmember Long .....aye;*  
*Councilmember Foley.....aye.*

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

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Mayor Doug Hammond

ATTEST:

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Roxanne Behunin, City Recorder

( S E A L )