

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MAY 3, 2023

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD **MAY 3, 2023** at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal, Utah 84078.

PRESENT: Councilmembers Nicholas Porter, Ted Munford, Dave Everett, and Corey Foley and Mayor Doug Hammond. Councilmember Robin O’Driscoll 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 APRIL 19, 2023: *Councilmember Ted Munford moved to approve the minutes of April 19, 2023. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Everett, Munford, Foley and Porter voting in favor.*

FUNDING REQUEST FOR DINAH SOAR DAYS - BECCA SUMMERS: Becca Summers stated Dinah Soar Days is scheduled the last weekend of August and the balloons will launch at the Recreation Center again. The event will include night glows, food truck alley and vendors market that is almost sold out. She asked the Council to consider sponsoring this event again this year. Councilmember Dave Everett asked if this event has been budgeted. Quinn Bennion answered yes in the amount of \$1000. Councilmember Dave Everett asked how many balloons are scheduled. Becca Summers stated they have 35 signed up so far. *Councilmember Dave Everett moved to approve \$1000 sponsorship for Dinah Soar Days. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Everettaye;*
- Councilmember Porteraye;*
- Councilmember Foley.....aye.*

CONSIDER APPROVAL OF CMGC AGREEMENT WITH BHI FOR VALUE ENGINEERING OF ZIONS AND COBBLEROCK BLOCK PROJECTS: Keith Despain explained that the City bid the Zions block and Cobble Rock block improvement projects. The first bid was more than the City could afford so the projects were joined together and redesigned in the hope of getting more bids. Again, BHI is the only bidder so the City took a construction management approach with BHI as the general contractor. The contractor works with the

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engineer to evaluate the plans and make recommendations to bring the project into budget. This agreement with BHI is for that process. The contract amount is \$9500. The projects will be completed in two stages. First, the Zions block improvements and then the Cobble rock block. Quinn Bennion stated the contractor will also provide a guaranteed maximum amount for these projects. Councilmember Dave Everett asked how soon these projects will commence. Quinn Bennion stated they are hoping for June. Keith Despain stated the schedule includes completing the Zions block this year and doing the underground work in Cobble rock this year with the above ground work next year. *Councilmember Nick Porter moved to approve the CMGC contract with BHI. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST APPROVAL OF BUILDING SAFETY MONTH PROCLAMATION: Gabby Blackburn explained that May is Building Safety Month and this proclamation allows the City to celebrate it. She read the proclamation for the Council. *Councilmember Dave Everett moved to approve the Building Safety Month Proclamation. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

PRESENTATION OF FY2024 TENTATIVE BUDGET: Carl Morton provided the tentative budget to the Council and noted that this budget is a starting point for the Council. He displayed a pie chart to show how the budget is split up. The general fund takes most of the budget at \$13.4 million dollars which includes police, streets, and other smaller departments. The next largest section is the utility departments. *Councilmember Ted Munford moved to approve the tentative budget. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE, SECTIONS 16.27.070 – MINIMUM AREA REQUIREMENTS, SECTION 16.26.110 – PARKING SPACE

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REQUIREMENTS ORDINANCE NO 2023-02 2ND READING: Gabby Blackburn reminded the Council that this Ordinance only applies to developments that occur in the R-4 residential zone. The Planning Commission revisited this issue and they do not want to lower the parking standard as most residents own more than 2 vehicles. The recommendation is to change the requirement to 2.5 parking spaces for developments over four units instead of nine units. There is different precedent once a development reaches more than four units as it is consider a commercial development. The next issue is the landscaping. At first the Planning Commission recommended dropping the landscaping to 25% from 30%. Because the code allows the development to count the setback area toward the green space, it is actually more lenient than other cities. Therefore, the Planning Commission is recommending 28% to offset the higher parking requirement. Gabby displayed an image that showed the difference to a lot with the landscaping percentages being proposed. Councilmember Ted Munford asked if this will increase development costs. Gabby Blackburn answered yes once they reach five units. After further discussion, *Councilmember Corey Foley moved to approve Ordinance No. 2023-02 amending the parking and landscaping requirements in the R-4 zone. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

PRESENTATION OF INACTIVE BUSINESSES LIST: Gabby Blackburn presented the list of businesses that have not paid the license fee for this year. Initially this list was quite large and the staff has worked hard to collect the fees. The four businesses on the list are;

- Paper Poppy Studio;
- UB Assets;
- Wilkins LLC; and
- Vernal’s Best Value Motel.

The motel business paid their renewal, however, the City was notified that they have three rooms that were contaminated with methamphetamine that has to be remediated. They cleaned them up and two of the rooms passed, however, the third room failed for the third time. The City’s options are to declare a public nuisance and suspend or revoke their license. Councilmember Ted Munford stated he would be more lenient if they are making an effort. Quinn Bennion stated this occurred in November. Councilmember Corey Foley asked if they are still renting rooms. Gabby Blackburn answered yes. If the license is revoked they cannot rent and anyone in the motel has to leave. If the license is suspended, they cannot rent to new patrons. This motel has been renting out rooms similar to an apartment and not paying the hotel tax. They are aware they cannot rent this way as they are in the wrong zone. The Council voiced their displeasure at this business not complying and taking a lot of staff hours. Councilmember Dave Everett asked if the contamination spreads. Gabby Blackburn stated that there is no way of knowing if it has gotten

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into the hvac system. Councilmember Corey Foley asked what the recommendation is from Tri-County Health. Gabby Blackburn answered they suggested go this way. Councilmember Nick Porter stated they have plenty of time to comply and he is tempted to go with a revocation effective immediately. Quinn Bennion stated the staff would support a suspension if he will stop renting as apartments and only allow thirty days to clean it up. *Councilmember Ted Munford moved to notify Vernal Best Value motel that they have 30 days to come into compliance or their license will be revoked. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

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

CONSIDER APPROVAL OF INTERLOCAL AGREEMENT FOR MUNICIPAL LEGAL SERVICES RESOLUTION NO. 2023-04:

Quinn Bennion explained that several public entities are without a City attorney and are willing to band together to hire a civil attorney. The City will hire an attorney as an employee and work with other smaller entities to provide these services. This is a unique approach. One option is to allow this employee to work 32 hours to keep the cost down and they can do side work if they want to. Some finer details will need to be ironed out and he asked the Council to approve the agreement and allow the Mayor to make minor changes. Councilmember Ted Munford stated there are other examples of doing this in our area to share resources. *Councilmember Ted Munford moved to approve Resolution No. 2023-04 and authorize the Mayor to fine tune changes to the Interlocal Agreement as needed. Councilmember*

Corey Foley seconded the motion. The motion passed with the following roll call vote:

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

CONSIDER APPROVAL OF IWORK SOFTWARE ADDITION FOR BUSINESS LICENSING AND ONLINE TRANSACTIONS:

Gabby Blackburn explained her department uses IWork’s software for building permits and scheduling inspections and would like to add the business license portal. The cost is \$5,500 and would increase the annual fee to \$8000 Councilmember Nick Porter asked how it is done now. Gabby Blackburn stated there is a form on-line that has to be filled out and then paid through a different portal that causes a lot of issues. Councilmember Ted Munford asked if there is a contract. Gabby Blackburn stated there is a three year commitment and cannot increase more than 5% per year. *Councilmember Nick Porter moved to approve purchasing the IWork’s software for business licensing. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

CONSIDER APPROVAL OF COMMUNITY PROJECT FUNDING (CPF) GRANT AGREEMENT WITH HUD: Keith Despain explained the City received a federal grant in the amount of \$1.2 million dollars that can be used for the Zion’s block improvements. It took a lot of effort to apply in 2022. Once the agreement is signed, then the environmental process will start. Quinn Bennion stated this funding came through Blake Moore’s office and it was quite competitive. *Councilmember Corey Foley moved to approve the grant agreement with HUD. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

CLOSED SESSION: *Councilmember Nick Porter 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 and reconvene into open session once the discussion is concluded. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

RECONVENE INTO OPEN SESSION AND ADJOURN: The meeting reconvened into open session. There being no further business; *Councilmember Nick Porter moved to adjourn. Councilmember Dave Everett 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)