

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

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

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

UPLIFTING THOUGHT: The invocation was given by Councilmember Nick Porter.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Corey Foley.

APPROVAL OF CITY COUNCIL SPECIAL BUDGET MEETING MINUTES OF MAY 10, 2023: *Councilmember Ted Munford moved to approve the minutes of May 10, 2023. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Everett, O’Driscoll, Munford, Foley and Porter voting in favor.*

CONSIDER APPROVAL OF AGREEMENT WITH ROCKY MOUNTAIN POWER FOR EV STATIONS ON ZIONS BLOCK: Keith Despain presented the proposal to consider an agreement with Rocky Mountain Power (RMP) for the installation of electric vehicle charging stations on the Zions Block. The agreement also involved Electrify America, and the total value of the grant was approximately \$1 million dollars. The City would lease the parking lot space to RMP, who would own and operate the charging stations. The proposed layout included five parking spots, one of which would be a pull-through slot. The agreement outlined the rights and responsibilities of both parties, including maintenance, snow removal, and towing. The charging stations would initially be free to use, but RMP reserved the right to charge in the future. Councilmembers discussed the need for signage indicating that the charging stations were for electric vehicles only.

Councilmember Nick Porter moved to approve the agreement with Rocky Mountain Power for the charging stations. 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.

Councilmember Corey Foley moved to approve the agreement with Electrify America to install the electric charging stations for RMP. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:

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

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Councilmember Porteraye;
Councilmember Foley.....aye.

PUBLIC HEARING: FY2024 BUDGET INCLUDING THE GENERAL FUND, WATER FUND, SEWER FUND, AND SOLID WASTE FUND, MUNICIPAL BUILDING AUTHORITY FUND, STRIKE FORCE FUND, AND OTHER MISCELLANEOUS FUNDS IN THE CITY AND ALL SALARY AND WAGE SCHEDULES: Carl Morton, Finance Director, presented the proposed budget for the fiscal year 2024. He highlighted the budget's emphasis on increasing personnel, including new police officers and additional staff for the legal department and court clerk. The certified tax rate decreased due to property value increases, however the budget conservatively anticipates strong tax revenues. He also mentioned reducing indirect services from the Water and Sewer funds to allocate more funds for repairs. Quinn Bennion discussed various projects and expenditures, including phone systems, audio/visual equipment, and vehicles for the police fleet. He emphasized the need to consider the inflation rate and maintain a fiscally responsible budget.

Carl Morton added that the budget would be ready for approval at the next meeting, with the exception of salary adjustments for employees. Quinn Bennion presented options for salary adjustments based on performance evaluations. He mentioned that last year the employees received a \$1 per hour increase and a performance increase with a cap of 5%, 7% or 9% based on their salary schedule. The proposed options for this year included a multiplier tied to the evaluation rating or a combination of base salary increase and a one-time payment. Another item to consider is the City has had 26 replacements of employees since January 2022 and five new employees after July. The City only has 84 employees so that is a high turnover rate. Most of the time, the new employees are hired at a lower wage although the City loses institutional knowledge. Councilmembers discussed the importance of remaining competitive with neighboring agencies and the need to attract and retain talented employees. Concerns were raised regarding the impact on the general fund and the volatility of sales tax revenues. Quinn Bennion presented the concept of a salary adjustment based entirely on performance. The rating system for evaluations is 1 to 5 and the average last year was 3.7. He suggested the Council consider a multiplier of that rating for each employee from 1.5 to 2.0. The impact to the City's general fund was presented for different multipliers. Several Councilmembers expressed support for the option that includes a base salary increase tied to the evaluation rating and a one-time payment that will only impact the budget for one year. Quinn Bennion stated the cost-of-living is 4.9% so the City should at least offer that much of a raise to stay up with inflation. Councilmember Nick Porter objected to the one-time payment as it is not a good way to encourage retention. Councilmember Corey Foley stated he would rather see a middle alternative with a one-time payment to see what next years revenue looks like. Councilmember Robin O'Driscoll appreciated his position, however, she has confidence in revitalization of downtown that will help the City's budget. Councilmember Ted Munford remembered the years there was no raise and then the City had to catch up. He suggested a base of 4.9% and

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then a one-time adjustment of 2.6%. Councilmember Nick Porter kept the same position that the raise should at least cover inflation and should increase their salary. Quinn Bennion presented two potential proposals;

- 1) Use a multiplier for the performance rating of 1.5 or 1.25 for a base adjustment and a .75 multiplier for a one-time adjustment; or
- 2) Use a 2 x multiplier up to 4.9% base and anything above that amount becomes a one-time allotment.

Councilmember Nick Porter again stated his opposition to a one-time payment and noted the cost to the City is \$67,000. There was some discussion on just a cost-of-living adjustment. Quinn Bennion stated he would rather see the increase be based on merit to distinguish performers. He suggested a 1.3 multiplier and a .7 one-time payment based on performance review. Councilmember Corey Foley asked the staff to look at wage comparisons for key positions such as building inspector, mechanic and CDL drivers as the market is increasing for those positions. Mayor Doug Hammond opened the public hearing.

Jenny Thompson, resident of Vernal City, stated she likes to idea of wage increases being based on merit. She noted it is frustrating to excel at a job and be paid the same as someone that is a dud. She asked if the City is hiring 3 additional police officers. Carl Morton answered two, and a seasonal code enforcement person. Jenny Thompson stated the City need a full-time code enforcement. Councilmember Corey Foley stated the City has a good employee and she does not want to work full-time. She asked what departments are having the heaviest loss of employees. Quinn Bennion gave the numbers with the police department being the heaviest. There being no further public comments, Mayor Doug Hammond closed the public hearing. After further discussion. *Councilmember Corey Foley moved to approve a wage adjustment based on a multiplier of 1.3 times the performance evaluation rating and a .7 factor for a one-time payment effective on the 1st of August. 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 Porter nay;
Councilmember Foley..... aye.

Councilmember Corey Foley moved to require a market study for skilled employees that require certifications, and officers and do a budget reopener to make sure in line with where the City should be. Councilmember Nick Porter seconded the motion. The motion passed with Councilmembers Foley, Porter, Everett, O’Driscoll and Munford voting in favor.

PUBLIC HEARING: FY2023 BUDGET REOPENER INCLUDING THE GENERAL FUND, WATER FUND, SEWER FUND, AND SOLID WASTE FUND, MUNICIPAL BUILDING AUTHORITY FUND, STRIKE FORCE FUND, AND OTHER

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MISCELLANEOUS FUNDS IN THE CITY AND ALL SALARY AND WAGE SCHEDULES: Carl Morton presented the FY2023 budget reopener during the meeting. He highlighted several changes to the budget, including Holly Days activities, Municipal Building Authority rent, court officer wages for bailiff and Police Department wages. There was an error in the previous year's budget, which led to under-staffing in the department. When the error was corrected, it reflected the fully staffed department, accounting for the discrepancy. Additionally, Carl Morton mentioned some minor adjustments, including increased revenue in the general fund, which required some further adjustments to the budget. Overall, he expressed that the budget was looking good. Mayor Doug Hammond opened the floor for a public hearing regarding all the funds and budget adjustments. After hearing no public comments, Mayor Doug Hammond closed the public hearing.

CONSIDER APPROVAL OF ZIONS BLOCK GUARANTEED MAXIMUM PRICE WITH BHI: Keith Despain addressed the topic, stating that the bid received for the Zions Block and surface improvements was initially unfavorable and unaffordable. However, after a second bidding process, BHI submitted a bid closer to the expected range. It was decided to enter into an agreement with BHI and explore ways to reduce costs to make the project more affordable. Keith presented a comparison of the guaranteed maximum price and highlighted the edits made to the bid. As a result of these modifications, the project cost was reduced by \$278,848.70, bringing it down to \$2,034,312.30. The next step would involve finalizing the agreement with BHI for the construction of the parking lot. Councilmember Robin O’Driscoll raised a question regarding the allowances mentioned in the bid. Keith Despain clarified that the bid item for the dinosaur footprints was removed from the project, but the intention was to include them in some form, such as using a stencil to mark footprints at any time. *Councilmember Ted Munford moved to approve the Guaranteed Maximum Price with BHI. 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.*

REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE- CHAPTER 16.04 ORDINANCE NO. 2023-09: Gabby Blackburn presented the final draft Ordinance discussed at a previous meeting. The ordinance combines all 780 definitions into one section of the code. *Councilmember Ted Munford moved to approve Ordinance No. 2023-09 as presented. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

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Councilmember Porteraye;
Councilmember Foley..... aye.

CONSIDER APPROVAL OF REVOCATION OF BUSINESS LICENSE: Gabby Blackburn reminded the Council of the public nuisance of Vernal Best Value Inn not passing their last inspection for drugs. The Council gave this business 30 days to correct the problems. That time has expired and now the motel says they cannot get Tri-County Health to complete the inspection until next week. Councilmember Nick Porter asked if the license is revoked, they have to empty the premises. Gabby Blackburn agreed. *Councilmember Corey Foley moved to give the motel fourteen days until the next City Council meeting to clean the room, and get the inspection or face an entire revocation of their license. 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 PLANNING COMMISSIONER APPOINTMENTS: Gabby Blackburn provided an update regarding the three open positions on the Planning Commission. She mentioned that they had received several good applications and presented two candidates for appointment. The first candidate, Brittany Young, is a realtor who expressed a desire to be more involved and understood the stipulations of the position. The other applicant is Samantha Chapoose who used to be on the Council and Planning Commission. Councilmember Ted Munford proposed that Samantha be appointed as an alternate as well, and Gabby agreed to meet with both candidates to discuss the roles further. After further discussion, *Councilmember Ted Munford moved to appoint Samantha Chapoose as a full member and Brittany Young as an alternate on the Planning Commission. Councilmember Nick Porter seconded the motion. A roll call vote was conducted as follows:*

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

CONSIDER APPROVAL OF REVIEW OF PARADE REGULATIONS AND MORATORIUM UNTIL REGULATIONS ARE IMPLEMENTED: Quinn Bennion pointed out that the City currently has four parades, the 4th of July, the 24th of July, Holly Days and Homecoming. Currently there are no costs or criteria for parades so it would be difficult to say no if someone requested a new one. The City has an expense of \$5000 to \$8000 dollars for every parade. The staff will track those costs during the 4th of July parade. He requested the Council

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place a moratorium on new parades beyond the four already planned until the cost and criteria are explored. *Councilmember Ted Munford moved to place a moratorium on any new parades until regulations are implemented. 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.*

ADMINISTRATIVE REPORTS

City Attorney:

Quinn Bennion reported he offered the position of City Attorney to Mike Harrington and he accepted. His start date is July 3rd.

Summer events:

Quinn Bennion reminded the Council there are a lot of events scheduled this summer including the Outlaw Jamboree and Vernal Excitement. The Rock Rally starts tomorrow and the Paddle Fest is in a few weeks.

Municipal Election:

Roxanne Behunin reported that there are six candidates for the three Council seats. Two of them are incumbants and the other four are Randel Mills, MaryLou Molina, Edward Long and Stephen Lytle.

Sewer Management Board

Councilmember Corey Foley indicated the Sewer Management Board is concerned about grease traps and would like that provision added to the CRA so those will be installed properly.

ADJOURN: 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)