

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
SEPTEMBER 20, 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.

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 AUGUST 16, 2023: *Councilmember Nick Porter moved to approve the minutes of August 16, 2023. Councilmember Robin O’Driscoll seconded the motion. The motion passed with Councilmembers Everett, O’Driscoll, Munford, Foley and Porter voting in favor.*

APPROVAL OF CITY COUNCIL SPECIAL MEETING MINUTES OF SEPTEMBER 14, 2023: *Councilmember Robin O’Driscoll moved to approve the minutes of September 14, 2023 with one correction. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Everett, O’Driscoll, Munford, Foley and Porter voting in favor.*

REQUEST APPROVAL OF ANNEXATION PETITION FOR 624 EAST 500 SOUTH, LMP HOLDINGS, LLC. Gabby Blackburn explained that this annexation for 624 East 500 South will correct a building error. The building happened to be built on the line between Vernal City and Uintah County so the best option is to annex into the City. Councilmember Dave Everett noted there has not been an annexation for a long time. *Councilmember Ted Munford moved to accept the annexation petition as presented and move forward with the annexation. 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.

CONSIDER APPROVAL OF CHANGE ORDER AND PAY APPROVAL FOR 100 SOUTH SEWER PROJECT: Keith Despain explained this sewer project is complete except for placing concrete around the manholes. The change order #2 brings into balance all the overruns and will approve the final payout. The quantities were estimated at the beginning of the project and were different than expected leaving a balance of \$139,623.33 mostly for asphalt. The final payment is \$772,150.13. Councilmember Nick Porter asked if the road will be

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
SEPTEMBER 20, 2023**

striped. Keith Despain answered the road will be chip sealed next year, then striped. *Councilmember Corey Foley moved to pay the total of \$772,150.13 including the change order #2. 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.

PUBLIC HEARING: AMENDING THE VERNAL CITY CODE SECTIONS 16.42.035 & 16.44.035 USES FOR THE R3 AND R4 ZONE FOR MONUMENT / SIGNS ORDINANCE NO 2023-14: Gabby Blackburn explained that this change is logical as these signs are used in Residential 3 and 4 that allows professional offices; however, does not allow monument signs without a conditional use. The Planning Commission reviewed this ordinance and agrees if it meets the code it should be allowed and forwarded a positive recommendation. Mayor Doug Hammond opened the public hearing. Gabby Blackburn reminded the Council that there does need to be a business on the property to have a sign. There being no public comments, Mayor Hammond closed the public hearing. *Councilmember Nick Porter moved to approve Ordinance No. 2023-14. 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.

DISCUSSION ON PUBLIC WORKS FLEET: Keith Despain reported he and Shawn Rasmussen have looked at a few different approaches to update the City’s vehicle fleet for the public works departments and would like guidance from the Council on what way to go. The first option is the current model of purchasing half ton pick-ups at the end of the lease from police vehicles for supervisors, the water crew and planning and zoning. Those vehicles would be kept until they die. The next option is a lease option through an enterprise fleet management company. The vehicles would be spec ordered from the factory and leased for two years. The management company gauges the market to find the right time to sell at which time the vehicle is returned and the City leases a new vehicle. Another option is to follow what Morgan City does which is use a contract price, run the vehicles for 3 years then sell on KSL. Carl Morton explained the lease for police trucks is up in October so a decision is needed soon if any of those vehicles will be purchased. He displayed a graph showing the cost of owning the vehicles with

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
SEPTEMBER 20, 2023**

maintenance costs. Overall, there is a lower cost per vehicle if they are leased or sold around 3 years. The most expensive option is to keep them over five years. Keith Despain stated with the management company option, they covers the maintenance plus outfit the trucks for the City. When the vehicles are brought over from the police department, the motor pool department has to do the adjustments which takes time and money. Councilmember Ted Munford remembered when Gary Showalter was Mayor and he had a lot of insight into vehicle purchasing and even he admitted that leasing was a really good deal. Carl Morton stated the initial plan was to keep four vehicles from the police fleet and budgeted \$120,000. The City could actually replace all 12 vehicles for that same budgeted amount plus sell some vehicles and build up a bank to fund the next lease. Keith Despain agreed and explained over the last 2 years six vehicles were brought over from the police department. If those six were sold plus the four expected to be kept from the current lease, it could generate \$350,000 and pay the first two years of the program. Quinn Bennion asked what the cost is per year per vehicle. Keith Despain stated the estimated cost of leasing is two years at \$22,000. When the vehicle is sold for approximately \$10,000, the average yearly cost is \$5000 - \$6000 a year. Councilmember Nick Porter noted it is hard to know the market and it could change. He thought the police lease has been good. Carl Morton stated the enterprise lease is better. Keith Despain stated they have access to a variety of vehicles and will explore what can be done as it sounds like the Council is in favor of a lease program.

CONSIDER RECOMMENDATIONS AND APPROVAL OF AUDIO / VISUAL BID:

Councilmember Ted Munford noted this is timely with the audio system failing. Carl Morton explained the City budgeted \$60,000 for a new audio - visual system and two bids were received from Webb and General Communications. He noted that even though the bid is higher than budget, he recommended the bid from General Communications in the amount of \$62,000. Alyx Larsen, IT Manager, stated he met with both companies to look at the system and the GenCon system will work the best. It also includes the ability to broadcast meetings. Councilmember Nick Porter stated it would be good to offer that option to citizens. *Councilmember Ted Munford moved to approve the bid from General Communications, GenCon. 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.

CONSIDER APPROVAL OF INVESTMENT POLICY - RESOLUTION NO. 2023-12:

Carl Morton reported that after discussions with other City Treasurers, reviewing reports and the outlook on the economy, he decided to present an investment policy to capitalize on higher interest rates. The PTIF account does not have high interest rates and there are other options especially if there is a national recession. This policy was put together with the help of an

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
SEPTEMBER 20, 2023**

investment company. Councilmember Corey Foley stated this is a great idea. *Councilmember Nick Porter moved to approve Resolution No. 2023-12. 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.

**CONSIDER APPROVAL OF INTERLOCAL AGREEMENT FOR LEGAL SERVICES
WITH UINTAH ANIMAL CONTROL AND SHELTER SPECIAL SERVICE DISTRICT –**

RESOLUTION NO 2023-13: Quinn Bennion presented a follow-up to the legal services program. Four agencies have joined together to hire an attorney and legal staff. It is working out really well and now two other entities have requested to join. The first entity is the Uintah Animal District. The other entity is the Uintah Fire District. This Interlocal Agreement is just with Vernal City and the Animal District. Councilmember Ted Munford asked if he will have time to cover their needs. Mike Harrington stated yes, he is familiar with their expectation and it will be fairly minimal. *Councilmember Dave Everett moved to approve Resolution No. 2023-13. 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.

**CONSIDER APPROVAL OF ADOPTION OF LIMITED ENGLISH PROFICIENCY
POLICY - RESOLUTION NO. 2023-11:**

Roxanne Behunin presented an amendment to the personnel policies adding a limited English proficiency policy. She noted that this policy is required by the Victim Advocate grant and it would be good to provide services to citizens in the community who have language barriers. *Councilmember Dave Everett moved to approve Resolution No. 2023-11 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.

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD SEPTEMBER 20, 2023

DISCUSSION REGARDING CITY PHONE SYSTEM AND COMMUNICATION: Quinn Bennion explained the staff has been looking at an alternate phone communications, system as the current system is aged and starting to fail. He asked for feedback from the Council before moving forward. There is \$70,000 in the budget. The staff communicates over cell phones and text and the trend is even more communication over text and office hand sets are used less and less. The front counters still need had sets. A staff committee looked at what would be best going forward and is proposing buying a limited number of handsets. The handsets are needed in the police department that has to record calls. It would be a cloud based system that is paid per month per phone from a local provider and negotiations are ongoing. Then the concept is to have every other employee receives a City cell phone or a cell phone stipend. Some employees do not need texting or pictures. The police officers receive \$40 a month and others \$30 a month for the use of their personal cell phones for City business. There are options for plans with many companies and the lowest price is \$35 a month per phone with unlimited service. The phones will be new and will be replaced every 20 months. The stipend will need to be less than the cost of the phone to encourage the employees to use a City provided phone. Alyx Larsen pointed out the current phone system is expensive. The current system is \$52,000 a year and what is being proposed is \$37,000 a year. Quinn Bennion recommended the City Council be included as they are obligated to have a public phone number and text often. The consensus of the Council was to move forward with this concept.

ADMINISTRATIVE REPORTS

Financial report:

Carl Morton stated he received the final sales tax numbers and the sales tax increased from \$4.5 million dollars to \$5.3 million last fiscal year.

Mayors Walk.

Quinn Bennion reminded the Council of the Mayors Walk scheduled for October 28th. Last year was the largest crowd yet estimated around 6,000 – 7,000 people. The committee is working on ways so the lines are not backlogged. Councilmember Dave Everett suggested the candy budget be increased.

CRA

Quinn Bennion reported that he continues to receive requests to expand the CRA boundaries for the façade grant. It is a major process and he asked the Council to ponder it.

CLOSED SESSION: *Councilmember Nick Porter moved to hold a strategy sessions to discuss pending or reasonably imminent litigation and hold a strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares.*

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
SEPTEMBER 20, 2023**

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.

RECONVENE INTO OPEN SESSION. The Council reconvened into open session.

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)