

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
FEBRUARY 17, 2021 at 7:00 p.m. in the Vernal City Council room, 374 East Main,  
Vernal, Utah 84078.

*This will be an electronic meeting with the anchor location being held at the Vernal City Council Chambers, 374 East Main St, Vernal, Utah. Those in attendance will be required to wear a mask unless they are speaking. Because of gathering restrictions put in place by Governor Cox, the anchor location will only have ten participants in attendance. The meeting will be streamed live via Facebook and broadcast on the Vernal City YouTube Channel: [https://www.youtube.com/channel/UCvGzca67KY\\_BIQwmNfNyzEQ](https://www.youtube.com/channel/UCvGzca67KY_BIQwmNfNyzEQ)*

**PRESENT:** Councilmembers Nicholas Porter, Ted Munford, Travis Allan, and Bert Clark 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 Ted Munford.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Travis Allan.

**APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF FEBRUARY 3, 2021:** *Councilmember Nick Porter moved to approve the minutes of February 3, 2021 as presented. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Allan, Porter and Clark voting in favor.*

**REQUEST FUNDING FOR PRCA XTREME BULL MADNESS – TONJA LOFTHOUSE:**  
Tonya Lofthouse gave a rundown of the event from last year which had a lot of cancellations due to COVID. This year the PRCA has asked for a two-day event to handle more riders. The event is scheduled for Friday and Saturday night March 12<sup>th</sup> and 13<sup>th</sup>. Top riders have made commitments to participate and there are no other events going on except in Florida. The Cowboy channel has also been in contact with the committee and wants to film the event to be aired at a later date. Councilmember Ted Munford observed that these riders show bravery or insanity or a mixture of both. He asked if this is a for-profit event. Tonya Lofthouse stated they are a for profit business, however, they have not reached that level yet. Councilmember Ted Munford stated once this event is stable, the funds from the City will need to be spent elsewhere. *After further discussion, Councilmember Ted Munford moved to approve sponsoring the Xtreme Bull Madness event in the amount of \$500. Councilmember Bert Clark seconded the motion.*

Councilmember Travis Allan stated he would like the Council to consider an alternate motion since the community needs these type of events. Quinn Bennion noted that the City has not spent a lot of money on sponsorship this year with a lot of events being cancelled due to COVID. After further discussion *Councilmember Ted Munford amended his motion to sponsor the Xtreme Bull Madness event in the amount of \$1000. Councilmember Bert Clark again seconded the motion. The motion passed with the following roll call vote:*

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*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark..... aye.*

**ALIVE AFTER FIVE AND VERNAL EXCITEMENT PRESENTATION & DISCUSSION**

**– STEVE EVANS:** Steve Evans was not able to attend so Quinn Bennion requested this item be postponed until March 3<sup>rd</sup>.

**PRESENTATION OF AUDIT REPORT:** Mike Davis reported that the main statement for the budget is that the unexpended balance was up by \$343,000 for last fiscal year. The reason for that increase is the first installment of the CARES Act funds that were received. The remainder of the funds were due to the departments being more conservative. The optional highway sales tax is also being received now. Those funds must be used for transportation which includes the airport. Quinn Bennion stated those funds can be used for trails too. Mike Davis presented a chart showing the fluctuation in sales tax. He noted that in 2016 the amount collected was way down, and then started to increase slightly. The fiscal year 2020 is projected to be around the same amount as 2019. He directed the Council’s attention to the water department showing a \$600,000 loss with the biggest increase being for treated water costs. Councilmember Ted Munford asked if the raw water loss ration has improved. Quinn Bennion stated the City has made some progress over the summer when a leak detection company was hired; however, the loss rate is still higher than where it should be. Mike Davis stated that the two findings from the auditor are that the City is above the 25% for the unappropriated balance, and the Council needs to attend open meetings training each year. *Councilmember Travis Allan moved to accept the audit report as presented. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark..... aye.*

**PUBLIC HEARING: REQUEST TO REZONE PROPERTY FROM CHRIS AND RACHEL PREECE AT 567 NORTH VERNAL AVE FROM C-2 COMMERCIAL ZONE TO R-4 RESIDENTIAL ZONE– ORDINANCE NO. 2021-01:**

Allen Parker stated that the City received an application to rezone property on North Vernal Avenue from commercial to residential. The property to the south is Jones Paint and Glass and there is a business to the north. Councilmember Bert Clark asked what business is using the property now. Chris Preece, owner of the property, stated they were doing weddings. Allen Parker stated they have requested what is considered a down zone. The downzone component does take away property rights for

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commercial uses except for limited office activity or a home occupation. All wholesale or retail activity would be prohibited. The property owners have acknowledged this change and they are running a home occupation party rental business. There will be a large trailer to store equipment and an office. No commercial vehicles or employees will be at the home. Further, Mr. Parker stated there is no adjoining low density housing in this area; however it is adjacent to an R-4 residential which is the request. Mr. Parker displayed a zoning map of the area. He noted that this property is on the border for mixed zoning to create a mixed use environment. The Planning Commission heard this request and has forwarded a positive recommendation. Councilmember Ted Munford asked why they are requesting this change if they plan on continuing to operate a commercial business. Rachel Preece answered that it is easier to get a loan. Mayor Doug Hammond opened the public hearing for public comments. Quinn Bennion noted that it is unique to ask for a down zone and clarified that the neighboring properties are commercial. The current owners understand this, however if the property is sold the new owners may want to go back to commercial. There being no public comments, the public hearing was closed. *Councilmember Ted Munford moved to approve Ordinance No. 2021-01, rezoning property at 567 North Vernal Avenue from C-2 commercial to R-4 residential. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**REQUEST FOR APPROVAL OF CONTRACT FOR SOLID WASTE SERVICES:** Quinn Bennion reminded the Council they approved the bid for garbage collection with G & H Garbage. This is a substantial contract worth around \$450,000 a year for residential properties. There was a lot of discussion regarding customer service during the last meeting and those concerns were addressed in the contract. Mr. Bennion went through the changes to the contract including requiring the trucks to be equipped with cameras, changes to a five year contract that increases each year, removed the highway overlook and replaced it with the Innovation Hub for service and added a larger dumpster at the Public Works yard. The contract also emphasizes any increase in expenses from fuel or wages are covered by the vendor. Councilmember Bert Clark noted that the contract can be changed if the landfill fees go up. Quinn Bennion agreed. He stated this contract does have a clause that if the contractor fails to do the work the City can instigate enforcement action and requires the contractor to address customer service complaints within 24 hours. Councilmember Bert Clark asked if the drivers are required to pick up any garbage that is spilled on the road. Quinn Bennion stated in most cases the resident shrugs and picks it up. If it is a large amount or the resident complains, then G & H should take care of it. Matt Chivers answered they will clean up any spills as long as the can is not overfilled habitually. Councilmember Travis Allan asked if the cameras are mounted on the truck. Matt Chivers answered yes, the cameras show the can being emptied and one is pointed at the curb and has the

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ability to take a picture. Quinn Bennion stated the photos help resolve issues. After further discussion, *Councilmember Nick Porter moved to approve the contract with G & H Garbage as presented. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**CHARGES FOR SERVICE AMENDMENTS FOR WATER, SEWER AND SOLID WASTE RESOLUTION NO. 2021-04:**

Mike Davis presented a spreadsheet showing the Council the deficit for the water fund and what would be needed to improve that fund. He noted that the increases are coming from outside facilities such as the water treatment plant and the sewer treatment plant. The recommendation from the Public Works Committee is to increase the water and sewer rates by \$2 per month for residential users even though that amount will not cover all the costs. The commercial users will see a larger increase unless they are on a smaller meter, and the overage will see a major increase. The additional funds received are projected to be around \$200,000 for the water fund. The recommended sewer increase is \$1 per month for each user and round off the garbage cost by adding six cents for a total of \$3.06 increase for each residential user per month. Quinn Bennion stated the message needs to be that these increases are because of costs invoiced to the City. Mike Davis stated the last change in the resolution is the \$40 reconnection fee up from \$20. *Nick Porter moved to approve Resolution 2021-04 with one small clarification of a 1” or smaller meter for commercial. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**REQUEST FOR APPROVAL OF THOMPSON MINOR SUBDIVISION AT 166 EAST 200 SOUTH VERNAL, UT:**

Allen Parker displayed a map of the lot that is being requested to be split into two lots. This lot split was initially approved in 2019 and the plat map was never recorded. Now the property owners have altered this subdivision slightly. Councilmember Ted Munford asked what the reason is for the change. Allen Parker stated they have a potential buyer. The lot does have a funny angle yet meets the dimensional standards for a City flag lot. The Planning Commission held a public hearing and did not receive any feedback so they are forwarding a positive recommendation. Councilmember Travis Allan asked if the entrance is wide enough. Allen Parker stated it does meet the requirements for a flag lot. *Councilmember Ted Munford moved to approve the minor subdivision for property at 166 East 200 South as presented.*

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*Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**RATIFICATION OF FIRST RIGHT OF REFUSAL LETTER REGARDING THE AIRPORT HANGER SALE:** Quinn Bennion this item is to finalize the phone poll to allow the hanger to be sold by waiving the thirty day waiting period. *Councilmember Ted Munford moved to ratify the first right of refusal letter for the airport hanger. Councilmember Nick Porter seconded the motion. The motion passed with the following roll all vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**RATIFICATION OF UDOT TECHNICAL PLANNING ASSISTANCE PROGRAM CONTRACT:** Quinn Bennion reminded the Council this is the downtown revitalization grant from UDOT with a few minor changes by the attorney. The grant amount is \$100,000. *Councilmember Nick Porter moved to ratify approval of the planning grant from UDOT. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**AMENDMENT TO SALARY SCHEDULE FOR FY2021 – RESOLUTION NO. 2021-05, AND CONSIDER APPROVAL OF A MARKET ADJUSTMENT FOR POLICE OFFICERS:** Quinn Bennion explained there are two parts to this plan to make a wage adjustment for the police officers. The first part is to change the salary ranges to be more in line with neighboring departments. This salary schedule also includes the inclusion of a public works director. The second part uses a specific formula based on years of experience to adjust current wages to be more in line with what they would be making with other agencies with the same tenure and rank. This will make the City be more competitive in recruiting. He noted there was a lot of effort from the Chief, Assistant Chief and Human Resources to come up with this market adjustment. Chief Dylan Rooks stated this will help the retention aspect and help recruit and

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hire quality officers. He explained the formula to the Council and noted it accomplishes being consistent with other agencies in the Basin. Councilmember Ted Munford stated this was discussed during a Public Safety Committee meeting and something had to be done to recruit qualified applicants. Chief Rooks stated the City is still trying to fill vacancies from months ago and there is still a hostile environment nation-wide to being in this field. Councilmember Ted Munford asked about recruiting for other positions. Quinn Bennion answered that the City recruited for a street employee and received over 100 applications and over 80 applications for the airport job. Councilmember Bert Clark asked if they can still promote through the ranks. Dylan Rooks answered that they can test for a police officer II position after 18 months and police offer III after another year giving them two opportunities to progress. Quinn Bennion stated these wage changes will affect the budget by approximately \$90,000. There was some discussion regarding overtime without being able to fill positions. After further discussion, *Councilmember Ted Munford moved to approve Resolution No. 2021-05 and the market adjustment as presented. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

Councilmember Ted Munford asked the staff to convey to the police officers how much they are appreciated.

**DISCUSSION AND DIRECTION REGARDING POLICE DEPARTMENT VEHICLE LEASE AND TYPE OF VEHICLES:** Assistant Chief Keith Campbell stated that with the current financial issues he reviewed the vehicle lease program and found that the F150 trucks provide a better value to the City based on the resale of the vehicles at the end of the lease than the SUV's. The K-9 officers also prefer the F150 trucks. At the beginning of the lease, there is less cost for the trucks and at the end of the lease the City receives around \$1000 trade-in for the SUV's versus \$5000 to \$8000 for the trucks. He proposed the entire police fleet be changed to Ford F150 trucks. After further discussion *Councilmember Bert Clark moved to approve signing a lease for all F150's for the police department. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

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**REQUEST FOR APPROVAL OF AGREEMENT WITH SUNRISE ENGINEERING FOR PROGRAM MANAGEMENT OF THE DOWNTOWN REVITALIZATION PLAN:**

Quinn Bennion reminded the Council that the City secured two grants to complete the downtown revitalization plan. Sunrise Engineering will serve as the project manager from March through August at a cost not to exceed \$20,000. The engineer will be Aaron Averett. *Councilmember Bert Clark moved to approve the agreement with Sunrise Engineering. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**REQUEST FOR APPROVAL OF AGREEMENT WITH WETX FOR WATER TECHNOLOGY AND CONSERVANCY:**

Quinn Bennion stated this is a follow-up from the work session that was held with WetX to engage phase I and II with this company to collect and gather anything to do with Vernal’s water system. They will then evaluate and recommend how to use the culinary water. Councilmember Ted Munford moved to approve the agreement with WetX. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*  
*Councilmember Porter .....aye;*  
*Councilmember Clark.....aye.*

**REQUEST TO DECLARE PROPERTY SURPLUS:**

Quinn Bennion informed the Council that the staff has identified equipment that is no longer any use to the City and would like to sell these items through an on-line auction. He presented a list of items to be surplus. Councilmember Bert Clark asked what will happen to the unsold items. Quinn Bennion stated they will be scrapped. Quinn Bennion stated one item not on the list that needs to be added is the old carved Vernal City sign that used to be in the Council chambers. It was offered to the museum and library and they did not want it. Councilmember Ted Munford suggested contacting the family of the person who carved the sign. Quinn Bennion stated that Naples City is interested in the old street sweeper and a price can be negotiated with them once the item is surplus. The Council agreed. *Councilmember Ted Munford moved to approve the surplus property list with the addition of the old sign and sweeper. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford.....aye;*  
*Councilmember Allan .....aye;*

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*Councilmember Porter* .....aye;  
*Councilmember Clark*..... aye.

**UPDATE ON BIRD SCOOTERS AND GEO-FENCE BOUNDARIES:** Quinn Bennion reminded the Council of the upcoming joint City –County meeting scheduled for Monday at 4:30 pm where he will present a draft of the boundaries for the scooters. The geofence currently excludes the golf course as the Active and Healthy Committee wants to keep the scooters closer to downtown.

**ADMINISTRATIVE REPORTS:**

Open House for Innovation Hub:

Quinn Bennion stated the City had a fantastic turn out with good, positive feedback on the Innovation Hub.

**ADJOURN:** There being no further business; *Councilmember Ted Munford moved to adjourn. Councilmember Nick Porter encoded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.*

\_\_\_\_\_  
Mayor Doug Hammond

ATTEST:

\_\_\_\_\_  
Roxanne Behunin, Deputy Recorder

( S E A L )