

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
MARCH 16, 2022 at 7:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

PRESENT: Councilmembers Nicholas Porter, Dave Everett, Ted Munford, 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 Ted Munford.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Dave Everett.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF MARCH 2, 2022: *Councilmember Nick Porter moved to approve the minutes of March 2, 2022. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Everett, Munford, Foley and Porter voting in favor.*

STORYTELLING FESTIVAL UPDATE - VERNIE HEENEY: Vernie Heeney informed the Council that the Storytelling Festival will be held in person this year, as it has been held virtual for the last two years. There will be a workshop to teach students how to tell their own story. The Festival is scheduled for next weekend. The Council thanked Vernie Heeney for the information.

REQUEST FOR FUNDING FOR BLOWISHES FOR EMILY FUNDRAISER: Christy Young explained that Blowishes is asking for \$500 from the City to host a corn hole tournament. Over 50 teams are scheduled to travel to Vernal to compete. Councilmember Dave Everett asked if the tournament only lasts one day. Pearl Cook answered yes. She stated that she was Emily’s grandmother, and stated this foundation was formed seven years ago when Emily died from brain cancer. Christy stated the foundation provides scholarships for students, pays the school lunches for students that are behind and helps other parents that have lost a child with the services or memorial. Pearl Cook stated they have also provided the headstones for four children. Councilmember Ted Munford asked if they were a non-profit organization. Christy answered yes. Councilmember Ted Munford asked the staff to clarify that this sponsorship was not in the budget. Quinn Bennion answered it was not so the funds would have to come from the miscellaneous line. *Councilmember Ted Munford moved to approve \$500 sponsorship of Blowishes for Emily for the upcoming corn hole tournament. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.

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Carl Morton informed the Council that this tournament does draw a good crowd from outside the area.

REQUEST FOR SPONSORSHIP FOR VERNAL DINOSAUR ROUNDUP RODEO AND SPECIAL NEEDS RODEO - CARSON YOUNG: Carson Young, Vice President for the Vernal Dinosaur rodeo, asked the Council to continue sponsorship. The event is scheduled for July 7th, 8th and 9th, 2022. Last year there were 695 contestants and 12,000 attendees from throughout the country. The event will be broadcast on the Cowboy Channel that provides great recognition for the community. Mr. Young showed highlights of the rode and entertainment for last year and noted that they hope to set a record for attendance this year. A second video board will be added to the Western Park arena with the help of V6 and there has been some rebranding so the prize money has to be increased to stay competitive. A budget for the upcoming event was displayed for the Council. Part of the long term plan is to improve the Western Park with additional bleachers and more ADA seating. This year the shoots will be painted bright colors. Councilmember Ted Munford clarified that this event was budgeted. Quinn Bennion replied that the City did budget \$17,000 for the rodeo and \$1000 for the special needs rodeo. Councilmember Corey Foley pointed out they requested \$1500 for the special rodeo and since it happens after the budget year, possibly it can be added to next year’s budget. Quinn Bennion stated that is a possibility. *Councilmember Corey Foley moved to approve the request for funding for the Vernal Dinosaur Rodeo in the amount of \$17,000 and \$1000 for special needs rodeo. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford..... aye;*
- Councilmember Everett aye;*
- Councilmember Porter aye;*
- Councilmember Foley..... aye.*

INTRODUCTION OF NEW COUNTY ECONOMIC DEVELOPMENT DIRECTOR, TRAVIS CAMPBELL: Travis Campbell announced that he is the new Uintah County Economic Development Director. He moved here from Ogden, where he worked for Representative Blake Moore. He stated he will do his best to keep up with Quinn, and is excited to begin. Mayor Doug Hammond welcomed him to Vernal.

FIRE DISTRICT REPORT AND UPDATE - JEREMY RAYMOND: Jeremy Raymond, Director of the Uintah Fire Suppression SSD, stated he appreciates all the support for the Fire District. He gave the Council an update on call volume and projects being completed this last year by the District. He noted that the Fire District responds to all structure, hazmat, extrication, and wildland fires and in Jensen they respond to paramedic calls. He gave a brief snapshot of each of the five fire stations and the majority of the types of calls they receive. He noted that the majority of the call volume is false alarms followed by brush fires. Fire inspections are performed for Vernal City as well as plan reviews. Allen Parker stated those will increase now. Jeremy

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Raymond stated that the Vernal station received 50% of the call volume District-wide with half of those calls being in the City limits. He stated that the fire chiefs are always trying to get grants and the Avalon station was in need of a foam truck. A local oilfield company offered to help and ended up donating one at a cost of \$28,000. Councilmember Ted Munford asked what the going price for a fire truck is. Jeremy Raymond answered around \$500,000. He explained that last year the District generated \$340,000 from helping with wildland fires so the District decided to hire a full time wildland captain and a seasonal fire fighter. Also because of the changes to benefits, the District is able to offer life insurance benefits to all the fire fighters. Long term plans for the District is to have well equipped, well trained fire fighters in each station and provide services for Ballard. One long term firefighter, Dewey Paulson, retired after 68 years of service. Councilmember Ted Munford asked Jeremy to convey the City's appreciation to the fire fighters for their service. Jeremy Raymond stated he also appreciates the help from City staff. Quinn Bennion stated it is simply amazing the services and resources being provided by the District.

PUBLIC HEARING: AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE – MANUFACTURED HOME ZONE FOR TINY HOMES, AMENDING DEFINITIONS SECTION 16.04.208, AND CHANGER 16.46.020 – MANUFACTURED HOME ZONE, ORDINANCE NO. 2022-03 AND TRANSITION BETWEEN ZONES. PROPOSED AMENDMENTS TO CHAPTER 16.42 – R-3 RESIDENTIAL ZONE, ORDINANCE NO. 2022-04: Allen Parker explained that there are two public hearings being held, however they will need to be re-advertised to include additional sections that need to be amended. The first item is to address allowing tiny homes as a concept in mobile home parks. The Planning Commission reviewed this concept and received feedback from Darrin Brown with Tri-County Health. This type of development is not being proposed in all zones. Mr. Parker presented the definition of a tiny home which is similar to State law. The lot sizes and density should also be adjusted to be more accommodating for smaller homes. Councilmember Dave Everett asked if there has been any inquiry for this type of housing. Allen Parker stated there is one serious developer who uses re-engineered storage containers for tiny homes and another trailer park owner who expressed interest in building them. Mayor Doug Hammond clarified they can have 10 structures to an acre. Allen Parker answered yes in a mobile home park. Councilmember Nick Parker stated this is a smart move is allow more density and give options with the growth in the community this will be important. Councilmember Corey Foley agreed with the need for affordable housing this would be a good option to offer in the code.

Allen Parker stated the next proposal is to the R-3 residential and R-4 residential zones for a smoother transition from the R-1 residential to the R-4 residential zones. The R-1 and R-2 zones looked similar except for duplexes. The R-3 zone allows 4-plexes, however, there is no appropriate scaling or frontages. This ordinance proposes to change those zones and requirements for frontage and scale from lowest to highest in a rational way. The footages, such as for a typical twin home is on two separate lots with a share common wall that does not need as high a frontage footprint. He noted that these are not dramatic changes. It will increase the density for the R-4

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residential zone which also allows structures for professional office buildings. Mayor Doug Hammond opened the public hearing and noted this is the first reading of these ordinances.

Brent Kelly, Vernal resident, clarified that the tiny home changes only apply to the Manufactured Home zone. Allen Parker stated they would still be allowed in the R-3 and R-4 residential zones with a larger lot.

Cassandra O’Brian, County resident, explained that she was at a meeting and they discussed the possibility of providing tiny homes for victims of domestic violence. There are only two residences for domestic violence victims and a high need for housing. The hope is to get donations and move forward to provide afford housing here. Councilmember Ted Munford stated there are studies on the reduction of homeless when rent is more controlled and this would be a good use of this type of housing. There being no further public comments, Mayor Doug Hammond closed the public hearing. *Councilmember Ted Munford moved to table Ordinances 2022-03 and 2022-04. Councilmember Dave Everett seconded the motion. The motion passed with the following Councilmembers Munford, Everett, Foley and Porter voting in favor.*

CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR THE AIRPORT ENGINEER;

Ken Campbell, airport manager, reminded the Council that the FAA requires the airport to advertise for an engineer and planning group every five years. Several engineering firms applied and were interviewed and the staff is recommending Armstrong Engineering out of Colorado. David Hartman, and Judd Hill from Armstrong are here to introduce their firm. David is the principle engineer and Judd is the prior manager of the Moab airport so has a good idea what is required. Ken Campbell asked the Council to consider approving the agreement with Armstrong Engineering to provide engineering services for the airport. Quinn Bennion reported that the City Attorney reviewed the contract and had a few changes that Armstrong has agreed to. *Councilmember Ted Munford moved to approve the agreement with Armstrong for engineering. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.

CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR THE AIRPORT PLANNER;

Ken Campbell explained this is the agreement with the same firm for planning services. *Councilmember Corey Foley moved to approve the agreement with Armstrong for planning services. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford..... aye;

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Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.

David Hartman thanked the Council for the vote of confidence. Judd Hill stated they are excited for the opportunity and potential of the Vernal airport.

CONSIDER OF APPROVAL OF THE DOWNTOWN FACADE GRANT PROGRAM:

Quinn Bennion presented the final draft of the downtown façade grant program for the Council’s approval. He noted that this program is a streamlined, un-bureaucratic model that possibly will be amended as time goes on. Applications will be accepted on Monday and asked the Council to verify that the first \$175,000 will be funded on an incentive of 50% then drop to 40% once those funds are spent. One item that was added to the eligibility list is an internal walkway that connects to exterior areas, such as a walkway that connects Main Street to the public parking lot. Allen Parker stated it has to be clearly usable by the public. Quinn Bennion stated another use is for a trash enclosures and screening. Councilmember Dave Everett stated he has spoken with a business owner who is excited and grateful for this program. He stated he is in favor of the 50/50 basis for the first businesses that apply. Councilmember Ted Munford agreed, although they may be frustrated if they miss out on that amount and may need to be reminded they still get 40%. Councilmember Nick Porter asked what will happen if they have a project that straddles the 50% mark. Quinn Bennion stated the committee can be flexible; however, construction must start within 45 days. Councilmember Dave Everett asked if the staff will be able to issue building permits that soon. Allen Parker stated he will make sure the staff is aware of the issues. Carl Morton asked if the funds can be used to reimburse a portion of the building permit. Quinn Bennion stated the program is not written that way. Councilmember Corey Foley asked for clarification on roofs. Quinn Bennion stated that is an ineligible expense. There was some discussion to consider adding roof improvements in the future as part of a larger project. *Councilmember Dave Everett moved to approve the Downtown Façade Grant Program as amended. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.

APPROVAL OF A NOTICE OF A PROPOSED DOWNTOWN PARKING ASSESSMENT AREA DESIGNATION FOR DOWNTOWN PARKING:

Quinn Bennion presented the possibility of adding a special assessment for businesses that will benefit from public parking in the downtown area. The Administrative Committee has reviewed this concept and agreed the Council should consider it. Quinn noted that there are three scenarios for parking in the

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downtown district. The first is completely privately owned and businesses negotiate with their neighbors for parking. The next solution is mostly private owned with a small amount of public parking such as the County lot at 100 East and 50 North, the City lot by Little Bees and lot on 100 West 100 North. This would not change the parking much and would not correct the parking issues downtown. The last scenario is more public parking and the businesses pay a fee to use that parking for their business or install parking meters. The City purchased property behind Marilla's and owns the parking lot by Little Bees for public parking. However, the parking should not be a burden on taxpayers. If the parking is public, the City will handle trash removal, plowing, sweeping and repairs. State statute does allow this type of improvement using a Special Assessment, although there is only a few that have been done this type of financing in the past. The first SAA could be the Zions block. The proposed cost to the business owners is \$10 a month for each parking spot based on square footage. The cost can be included on their water bill each month. Zions Bank has agreed to a 25 year lease for the property to the City for public parking if the City maintains it. Zions Bank will keep private parking behind their building totaling 16 stalls. Mr. Bennion explained that he has discussed this option with the nine business owners on this block and there is only one that is not in favor. A public hearing will be held and if 40% protest, the City cannot enact the SAA. Councilmember Corey Foley asked where Swains fits into this picture as many of their patrons use this parking. Quinn Bennion stated that Swains will be added to the next block when the SAA is expanded to the Cobblestone Block. Councilmember Corey Foley asked if the City will collect enough funds to maintain it. Councilmember Ted Munford stated the fee is not intended to cover all the costs similar to other services provided by the City. Councilmember Nick Porter stated in theory the increased business will add to the revenue. Carl Morton agreed that the public works departments are not revenue generating and are funded by tax dollars, and if the CRA works, there will be more tax revenue. Quinn Bennion stated that because this SAA will not be assessing capital costs, just maintenance, the statute only allows a 5 year assessment so this will need to be renewed every 5 years for up to 20 years. After further discussion, *Councilmember Nick Porter moved to approve the Notice for the proposed downtown parking assessment area designation. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.

APPROVAL OF SUBMISSION OF UTAH OUTDOOR RECREATION GRANT: Quinn Bennion reported that the City is submitting a grant application for the downtown plan to the Utah Outdoor Recreation. The funding fits with what is being planned for the downtown public space. This is a unique funding source as this type of grant is usually in more open space than a City. The grant does require a local match of half so the cost to the City would be \$500,000. After further discussion, *Councilmember Nick Porter moved to approve the submission of the grant and*

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the funding. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.*

APPOINTMENT OF NEW MEMBER TO PLANNING COMMISSION: Allen Parker explained that Mr. Kimball Glazier used to be on the Planning Commission and had a conflict with the time of the meetings and had to resign. He has expressed interest in being on the Planning Commission again. Mr. Parker asked the Council to consider appointing Mr. Glazier to the Planning Commission as a regular member. *Councilmember Nick Porter moved to appoint Kimball Glazier to the Planning Commission as a regular member. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.*

ADMINISTRATIVE REPORTS

Update Regarding Pickle ball Courts In Vernal:

Quinn Bennion reminded the Council that there is a lot of interest in Pickle Ball and several entities have joined with the City and committed funds to build them. Vernal City has committed \$15,000, Uintah County \$15,000, Rocky Mountain Power \$5000, Uintah Basin Health \$20,000, Ashley Regional Medical Center \$10,000, Healthy and Active Committee \$10,000 and the Recreation District will contribute the remainder of the cost to build 3 or 4 courts. The location being considered is by Independence park on 100 South by the Middle School. Mayor Hammond asked if the courts will be paved. Quinn Bennion stated they will be concrete. He stated the Recreation District does want to add lighting.

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 and return to regular session once the discussion is completed. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Munford..... aye;
Councilmember Everett aye;*

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Councilmember Porter aye;
Councilmember Foley..... aye.

CONVENE INTO OPEN SESSION: Mayor Doug Hammond declared the meeting back into open session.

REQUEST APPROVAL OF PURCHASE OF PROPERTY: *Councilmember Nick Porter moved to purchase property on 100 East between Main Street and 100 South at a cost of \$1,075,000. Councilmember Corey Foley seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford..... aye;
Councilmember Everett aye;
Councilmember Porter aye;
Councilmember Foley..... aye.

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)