

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JULY 7, 2021 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, Travis Allan, and Bert Clark and Mayor Doug Hammond.

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: An uplifting thought was given by Councilmember Dave Everett.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Nick Porter.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF JUNE 16, 2021:
Councilmember Nick Porter moved to approve the minutes of June 16, 2021 with the correction of one name. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Everett, Munford, Allan, Porter and Clark voting in favor.

APPROVAL OF CITY COUNCIL SPECIAL MEETING MINUTES OF JUNE 28, 2021:
Councilmember Ted Munford moved to approve the minutes of June 28, 2021 as written. Councilmember Nick Porter seconded the motion. The motion passed with Councilmembers Everett, Munford, Allan, Porter and Clark voting in favor.

REQUEST AMENDMENT TO VERNAL CITY PERSONNEL POLICIES AND PROCEDURES, SECTION 2.05.005 – HIRING POLICE OFFICERS – RESOLUTION NO. 2021-09: Quinn Bennion explained that as he and the Chief of Police were determining the pay for newly hired sworn police officers it was realized that the policy needed to catch up with what is being done and the desired practice. This change to the policy allows more flexibility and only addresses new hires. Councilmember Clark asked if this will create an issue with a new hire being paid more than a current employee. Quinn Bennion answered that before March that may have happened. With the market adjustment that was made it should not happen. Councilmember Travis Allan stated that was one of the reasons the adjustment was made. Mike Davis, finance director, stated that this policy bothers him as the officers get an automatic adjustment for their years of service and also got significant increases in March. Quinn Bennion stated it would be ideal if the City could increase salaries every year however, the budget does not always allow that. Mike Davis stated the policy needs to be fair for all employees. Quinn Bennion asked if he had a solution. Roxanne Behunin stated the department heads can request adjustments to the salary when an employee is hired, although it is not automatic. Councilmember Ted Munford stated there cannot be a policy that fits every situation. However, if this policy is removed it will create a new set of problems. Councilmember Bert Clark asked that the Public Safety Committee review this policy in the future. Councilmember Travis Allan agreed it needs to be looked at in the future to make sure it is fair within the department and competition with other agencies. After further discussion, *Councilmember Nick Porter moved to approve Resolution No. 2021-09 as presented.*

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Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Clark.....aye.

REQUEST FOR RENEWAL OF INDIGENT DEFENSE CONTRACT: Allen Parker explained that the contract for indigent defense services expired at the end of June and he is working with the attorney for renewal. However, Jordan Van Oostendorp does not feel that the current cost of \$3100 is competitive enough with his current case load and would like to see the monthly amount increased to \$4500. Mr. Parker indicated that COVID has caused difficulty in resolving cases and more conferences with clients. Councilmember Ted Munford asked what other agencies are paying. Allen Parker answered that Jordan Van Oostendorp who is handling the City cases also contracts with Duchesne County at a much higher rate with less cases. Allen Parker reported that the City applied for a grant and was not awarded any funding. Councilmember Ted Munford stated he would like to know what the going rate is for this service with a similar size court and what type of competition is out there. Allen Parker indicated he would find that information for the Council. Councilmember Dave Everett asked if the work load has increased with the combination of the courts. Quinn Bennion answered no that the other jurisdictions still need to cover their own indigent defense costs. After further discussion, *Councilmember Bert Clark moved to postpone this item to the next meeting until more information is provided. Councilmember Travis Allan seconded the motion. The motion passed with Councilmembers Clark, Allan, Munford, Porter and Everett voting in favor.*

REQUEST FOR RENEWAL OF CIVIL ATTORNEY CONTRACT: Quinn Bennion explained that it is time to renew the contract with Dennis Judd for civil attorney work. The contract pays a 15 hours a month retainer and the only change is he added another public entity that he represents so the City would be aware of any conflicts. Mayor Hammond clarified that the cost is \$1500 a month. *Councilmember Dave Everett moved to approve the contract with Dennis Judd for civil attorney services. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Clark.....aye.

RECOMMENDATION FOR BUSINESS LICENSE LATE FEE: Allen Parker reminded the Council of the issues with billing the business license renewals for this year and recommended the Council consider waiving the late fee. Councilmember Ted Munford asked if the staff had figured out what happened. Allen Parker stated there is no definitive cause. He stated there

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were a number of businesses that already paid the late fee and he recommended that amount be refunded. Councilmember Ted Munford asked what that amount will be. Allen Parker stated he did not know. Mike Davis stated the City collects around \$67,000 in business license fees per year and the late fees will not be that much. Councilmember Travis Allan asked if the businesses have paid the license fee. Allen Parker stated there have been a few that are unresponsive and have not paid yet. After further discussion, *Councilmember Ted Munford moved to refund any late fees that have been collected this calendar year for business licenses and waive the late fee for the remainder of the year. Fix any glitches with business license renewals and collect the late fee in 2022. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Porteraye;
Councilmember Clark.....aye.

Councilmember Bert Clark requested the staff provide the total refunded amount.

DOWNTOWN PLAN UPDATE – QUINN BENNION, LAURA CHYNOWETH, AND AARON AVERETT: Quinn Bennion explained that Aaron Averett and Laura Cheynoweth are the Committee Chairs for the downtown plan and would like to provide an update. Laura Cheynoweth reminded the Council that the planning group MHTN was hired as a consultant to help with this plan and they did a lot of community outreach to see what the residents wanted. Surveys, open houses, walking tours and tours of other communities were conducted to get different perspectives of what is wanted and needed to have a vibrant downtown. The group even placed cards where people could write what they wanted in vacant spaces downtown. Over 900 responses were received. Quinn Bennion stated that was a very impressive number for this size of a community. Councilmember Bert Clark stated other cities have a wider sidewalk and can facilitate outdoor activities easier. He mentioned that Vernal needs to address the alleyways and rear entrances as well as Main Street. Aaron Averett stated that is where they are headed. Laura agreed there is some great and usable spaces behind the buildings. Mayor Doug Hammond stated he was impressed with what Steamboat and Casper have done to revitalize their cities. Laura Cheynoweth presented an update of the plan and ideas to help revitalize Vernal City’s downtown. Aaron Averett stated there are ten items, with some having more potential than others and they are all positive opportunities to bring people downtown not just during business hours. Some improvements are simple such as garage door windows for a café, outdoor signs similar to what B’s has done or better utilization of the space. Councilmember Bert Clark stated it does not have to be ground level. Aaron Averett agreed. He stated that business owners need to see the concepts and get financial institutions involved with the desire to make improvements. This plan will be presented again at the joint City / County meeting held later this month. Councilmember Nick Porter stated he is excited to see this plan and what the committee is coming up with. Councilmember Dave Everett stated the City is gaining

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momentum with the events that have been held downtown and this plan will help businesses see the potential.

ADMINISTRATIVE REPORTS

New Employee:

Quinn Bennion introduced Keith Despain who has been hired as the new Public Works Director.

Safe Routes to Schools

Quinn Bennion reminded the Council that the notice of award has been given to the contractor and now the contract is ready for approval.

4th of July events:

Quinn Bennion reported that there were many successful events over the weekend including the downtown concert, Freedom Fest at the park, the Field of Flags and the Fireworks. It was estimated that around 3000 people attended the concert. Many of the vendors ran out of food and there are many comments that this was the best fireworks show ever.

CLOSED SESSION: *Councilmember Travis Allan moved to convene into closed session to hold a discussion of 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 completed. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Allanaye;*
- Councilmember Everettaye;*
- Councilmember Porteraye;*
- Councilmember Clark.....aye.*

RECONVENE INTO OPEN SESSION AND 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.*