

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
AUGUST 4, 2021 at 7:00 p.m. in the Vernal City Council room, 374 East Main,  
Vernal, Utah 84078.

**PRESENT:** Councilmembers Nicholas Porter, Dave Everett and Bert Clark and Mayor Doug Hammond. Councilmember Travis Allan and Ted Munford were excused.

**WELCOME:** Mayor Doug Hammond welcomed everyone to the meeting.

**INVOCATION OR UPLIFTING THOUGHT:** The invocation was given by Councilmember Bert Clark.

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

**APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF JULY 21, 2021:** *Councilmember Dave Everett moved to approve the minutes of July 21, 2021. Councilmember Nick Porter seconded the motion. The motion passed with Councilmembers Everett, Porter and Clark voting in favor.*

**ACCEPTANCE OF FIRE INSPECTION FEES – RESOLUTION NO. 2021-12:** Allen Parker indicated that the Director of the Fire Suppression Special Service District informed him the District will do the fire inspections free of charge so there is no longer the need to charge a fee to the businesses. *Councilmember Bert Clark moved to reject Resolution No. 2021-12 setting a fee for fire inspections. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Clark, Everett and Porter voting in favor and the resolution failed.*

**DISCUSSION OF APPROVED ORDINANCE 2021-08: TRAILERS PARKED / STORED ON PUBLIC STREETS AND STORAGE OF TRAVEL TRAILERS:** Allen Parker noted that this Ordinance passed during the last meeting and brought up questions regarding trailers parked on the street. This section of the code only addresses trailers parked on private property and there are no more recommendations yet. He explained that this is a complicated issue and they will be looking at regulations pertaining to the size of a lot or parcel of property and figure out what percentage could allow trailers, or it could simply be regulated by specifying a number of trailers allowed. This will be an on-going project. Councilmember Bert Clark noted that it needs to address the visibility because many times the trailer is right next to the sidewalk blocking the view of the street for neighbors to pull out safely. Allen Parker agreed and stated the code does require the trailer to be back ten feet from a public street. Councilmember Clark noted that the trailers are getting longer and many times it is enclosed trailers that block the vision. Mayor Doug Hammond agreed the code should read any enclosed trailer. Councilmember Bert Clark gave an example of a home along 500 West and 650 south with a pipe fence that is 6 feet tall. He asked if they could line the back yard with trailers. Allen Parker stated for that intersection, the fence does meet the clear vision triangle and they could put trailers in the back. Councilmember Clark stated the trailers will be higher than the fence and block the vision. Allen Parker stated that is a good example and is a good start to the discussion of trailers parked on the street.

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD AUGUST 4, 2021**

**PUBLIC HEARING: TRUTH-IN-TAXATION FOR PROPOSED PROPERTY TAX INCREASE. – ORDINANCE NO. 2021-12:** Quinn Bennion explained this is the time to discuss an increase in property taxes. The City needs \$20,000 to pay for the homeless mitigation fee passed down to the cities by the State Legislature. He reiterated that the City is forced to pay a portion of sales tax to the State to pay for homeless shelters in Utah. There are around nine shelters, with most of them being on the Wasatch Front. Further, Vernal City has one of the lowest property tax rates in the State and accounts for about 5% of a property tax bill. Mayor Doug Hammond asked if the staff had received any complaints to this increase. Quinn Bennion stated the staff received several calls and once the situation was explained they understood the need for the increased tax. Councilmember Dave Everett noted that the City did not have a voice in that Legislation to take taxes from the cities. Mayor Doug Hammond opened the public hearing.

Mr. Edgar Lacayo, resident for 43 years, stated that there is always talk about increasing taxes. He noted that he is forced to pay taxes on the homes and land that he owns and suggested this tax increase be charged to businesses that get revenue from people who live here. Mr. Lacayo complained that his property tax for one of his homes increased from \$1,333 last year to \$2,000 this year. He explained that he came to Vernal from Nicaragua and worked hard to better himself and now it is hard to do it live off what money is left after paying taxes. His other properties also have increased taxes. He stated he understands the City needs revenue, but the cost should be divided between everyone in this town and those making more money should pay more taxes. Mayor Doug Hammond explained there is a difference between business and residential and the businesses do pay more. Quinn Bennion reviewed the property tax statements for Mr. Lacayo and stated that overall the property rates actually went down. The taxes for the property in the County at 2135 East 3500 South reduced \$59.00 from \$2414 to \$2395. The taxes for the property at 160 North 100 East dropped from \$2204 to \$2157. There is one property that increased due to the value of the home going from \$136,000 to \$299,000. He suggested Mr. Lacayo contact the County Assessors office to see what happened. Mike Davis stated he has the right to appeal the appraised amount.

There being no further public comments, Mayor Hammond closed the public hearing. *Councilmember Bert Clark moved to approve the property tax rate increase, Ordinance No. 2021-12, for the proposed reason to cover the homeless tax and if that tax is dropped then this tax increase will be removed. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

**PUBLIC HEARING: REQUEST FOR APPROVAL OF AMENDMENT TO VERNAL CITY MUNICIPAL CODE, SECTIONS 16.34.090 – HEIGHT REQUIREMENTS, 16.36.100 - HEIGHT REQUIREMENTS, 16.38.060 - HEIGHT REQUIREMENTS, 16.40.070 - HEIGHT REQUIREMENTS, 16.42.070 - HEIGHT REQUIREMENTS,**

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD AUGUST 4, 2021**

**16.44.070 - HEIGHT REQUIREMENTS – ORDINANCE NO. 2021-11:** Mayor Doug Hammond opened the public hearing. Allen Parker presented a proposed change to the land use codes to limit how much of a parcel of property can be used for structures. In theory, the code has a standard lot in an R-1 zone with standard setbacks and the structure in the middle of the lot. However, if that lot is 4 acres in size, the same setbacks apply and the property owner can build a structure that covers the rest of the lot. Councilmember Bert Clark asked what is considered a structure. Allen Parker stated there is a definition of structure in another section of the code. Quinn Bennion stated that barns, sheds, carports etc. are considered structures and are allowable as long as they meet the setback requirements. What is being proposed is to only allow structures to cover 45% of a parcel. Allen Parker stated this will protect neighborhoods from massive structures or something out of character. Also, the different residential zones will address this as 50% of the main structure needs to be for residential purposes. Quinn Bennion stated this ordinance will not capture all uses, however, it goes a long way to help prevent the wrong type of structures in residential zones. Councilmember Nick Porter stated that non-permanent structures are not affected by this code change and small sheds do not require a permit. Allen Parker agreed, if a shed is less than 200 square feet it does not need a permit. However, it is not considered a temporary building. There were no public comments and Mayor Hammond closed the public hearing. *Councilmember Nick Porter moved to approve Ordinance No. 2021-11.* Councilmember Bert Clark asked what the recommendation is from the Planning Commission. Allen Parker stated the Planning Commission is forwarding a positive recommendation. *Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

**REQUEST FOR APPROVAL OF AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE SECTION 9.44 – PARKING REGULATIONS – ORDINANCE NO. 2021-14:** Allen Parker explained that this Ordinance deals with oversized trailers being parked on the street for an extended period of time. The first section adds two definitions for oversize trailers and travel trailers. The next section regulates that trailers cannot be parked on the street for longer than 72 hours which is consistent with the planning code. Councilmember Bert Clark asked if there is a permit for special events to park the trailers longer. Allen Parker stated there is not a permit for a public street. Councilmember Bert Clark stated there are times people bring their trailer in on Thursday and stay the weekend. Will they receive a ticket on Monday? Quinn Bennion stated that code enforcement does not work on the weekend and it would be hard to monitor and enforce how long a trailer has been parked in the same spot. Allen Parker stated that the trailer would create a clear public safety hazard by blocking visibility. He asked if the Council wanted to restrict all trailers from being parked more than 72 hours. Councilmember Nick Porter agreed that it is sensible to apply the same regulation to any non-self moving vehicle. Councilmember Dave Everett stated he thought the 72 hours would be good. Quinn Bennion stated there needed to be a balance that is reasonable and the definition would need to be changed to include all trailers. Councilmember Bert Clark suggested this Ordinance be

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD AUGUST 4, 2021**

tabled until the changes are made and allow the other Councilmembers to add their comments. Mayor Hammond agreed this needed to be tabled until the next meeting.

**REQUEST TO DECLARE COMPUTER ELECTRONIC EQUIPMENT SURPLUS UPON BECOMING OBSOLETE – ORDINANCE NO 2021-15:** Quinn Bennion explained that this ordinance relates outdated electronic equipment being declared surplus property once it becomes obsolete and the City has no use for it. These items will no longer need to go before the City Council to be declared surplus. The It department will decide when certain equipment is obsolete and that will be reviewed by the Finance Director. Then the property can be disposed of in a method determined by the Finance Director. Also, more options of disposal has been added. This Ordinance streamlines the process and makes it more efficient. *Councilmember Bert Clark moved to approve Ordinance No. 2021-15 as presented. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

**PRESENTATION OF BID AND APPROVAL OF CONTRACT FOR INNOVATION HUB OFFICES:** Quinn Bennion reminded the Council of the opening of the Innovation Hub back in January. There were four private offices installed and those offices are filled and there is a waiting list. The proposal is to add more offices, made out of glass to keep the feeling of being open and collaborative. The funding for this construction work will be paid by the County out of revitalization funds. There are also funds to acquire furniture for the offices. Councilmember Dave Everett asked if there is certain criteria for a business to lease the private offices. Quinn Bennion answered that they need to be a new business or working out of their homes. Established businesses are not allowed. He stated that one bid was received to install the glass offices from Jones Paint and Glass. *Councilmember Dave Everett approved the bid from Jones Paint and Glass in the amount of \$32,356.90. Councilmember Nick Porter seconded the motion. The motion passed with the following roll call vote:*

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

**ADMINISTRATIVE REPORTS**

City storm water drains:

Councilmember Bert Clark expressed his appreciation to the crews for keeping the storm drains cleared during the recent storm. Quinn Bennion agreed and explained the staff was out all night clearing the drains to prevent water damage. Councilmember Nick Porter stated there was a lot of debris in the roads around the conference center. Mayor Hammond noted that there is still gravel on the corners of 100 North and 500 West. Councilmember Clark asked if there was a way to stop the dirt and debris from Western Park from flowing out into the road. The crews were trying to clean it up without much success. He suggested a sump or something be installed

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD AUGUST 4, 2021**

to keep the dirt out of the street. Quinn Bennion stated he would suggest it. Councilmember Porter stated that one household had a backyard full of dirt from Western Park. Quinn Bennion stated he would ask the Public Works Director to look at a long-term solution.

**CLOSED SESSION:** *Councilmember Bert Clark moved to go into closed session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares and reconvene into open session when the discussion was concluded. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

**RECONVENE AND ADJOURN:** The meeting reconvened into open session. 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.*