

MINUTES OF THE VERNAL CITY COUNCIL SPECIAL SESSION AND REGULAR MEETING HELD FEBRUARY 21, 2024 at 3:45 p.m. in the Vernal City Council room, 374 East Main, Vernal, Utah 84078.

PRESENT: Councilmembers Edward Long, Robin O'Driscoll, Ted Munford, Randel Mills, and Corey Foley and Mayor Doug Hammond.

Councilmember Ted Munford moved to go into closed session to discuss the character, professional competence, or physical or mental health of an individual. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following roll call vote:

<i>Councilmember Munford.....</i>	<i>aye;</i>
<i>Councilmember O'Driscoll.....</i>	<i>aye;</i>
<i>Councilmember Long.....</i>	<i>aye;</i>
<i>Councilmember Mills</i>	<i>aye;</i>
<i>Councilmember Foley.....</i>	<i>aye.</i>

CONVENE INTO OPEN SESSION: The Council convened into open session. Councilmember Ted Munford was excused from this portion of the meeting.

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Robin O'Driscoll.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Edward Long.

APPROVAL OF CITY COUNCIL REGULAR MEETING MINUTES OF FEBRUARY 7, 2024: *Councilmember Corey Foley moved to approve the minutes of February 7, 2024. Councilmember Robin O'Driscoll seconded the motion. The motion passed with Councilmembers Mills, O'Driscoll, Foley and Long voting in favor.*

INTRODUCTION OF NEW BUSINESS LICENSE / PLANNING TECH – TAYLOR MUNGUA: Gabby Blackburn introduced Taylor Mungua, who has taken the business license / planning tech position in the Planning Department. He has been here for three weeks and is doing very well. Taylor Mungua stated that he is learning the tax coding and looking at ways to streamline the business license processes. Councilmember Randel Mills asked what his background is. Taylor Mungua answered he grew up in Elko, moved to Salt Lake until COVID when he moved to Vernal. The Council welcomed Taylor to Vernal City.

REQUEST APPROVAL OF ANNUAL STIPEND FOR ASHLEY VALLEY SEWER MANAGEMENT BOARD: Quinn Bennion reported that Ashley Valley Sewer Management Board is asking the Council to approve the annual stipend for appointed representatives of Vernal City on that Board. *Councilmember Robin O'Driscoll moved to approve the stipend for Councilmembers Foley and Mills. Councilmember Edward Long seconded the motion. The motion passed with the following roll call vote:*

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Councilmember O'Driscoll aye;
Councilmember Long aye;
Councilmember Mills aye;
Councilmember Foley aye.

REQUEST APPROVAL OF AGREEMENT TO RESCIND AND NULLIFY ORDINANCE NO. 2022-12, VACATING A RECORDED SUBDIVISION - ORDINANCE NO. 2024-08: Gabby Blackburn presented an agreement to rescind and nullify Ordinance No. 2022-12 regarding the vacation of a recorded subdivision, now addressed by Ordinance No. 2024-08. She provided details regarding parcels of property that were combined to develop condominiums. However, the form for multiple ownership was not found, resulting in the combination of the units into one, contrary to the applicant's intentions. This led to complications, with banks expressing dissatisfaction with the combined lots. Gabby Blackburn stated efforts were made to salvage the situation, including drafting an agreement among the owners to revert the lots back to their original state. The proposed Ordinance aims to rescind the original vacation and revert the property back into separate lots. During the discussion, Councilmember Corey Foley expressed empathy for the situation and appreciated the patience and efforts of the staff. He inquired if there were plans to bring the issue back to the Planning Commission with an amendment, to which it was confirmed that there were no such plans. *Councilmember Corey Foley moved to approve the agreement and Ordinance 2024-08. Councilmember Randel Mills seconded the motion. The motion passed with the following roll call vote:*

Councilmember O'Driscoll aye;
Councilmember Long aye;
Councilmember Mills aye;
Councilmember Foley aye.

PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE, SECTION 16.28.065, MONUMENT SIGNS - ORDINANCE 2024-02: Gabby Blackburn explained that the purpose of this Ordinance is to fix the discrepancies between various sections of the code regarding the regulations governing monument signs. She explained that while other sections had been updated to permit monument signs, this particular section had not been aligned accordingly. Additionally, changes in fence heights in the International Code prompted a review of monument sign heights. The Planning Commission recommended a maximum height of 6 feet for monument signs in residential zones, considering the updates in the International Code to allow fence heights up to 7 feet. There was some discussion about the height. The density regulations for monument signs were clarified allowing for one sign per parcel with exceptions for schools, which could have two signs.

Mayor Doug Hammond opened the public hearing. There were no public comments, and the public hearing was closed. Councilmember Corey Foley inquired about the possibility of refreshing existing monument signs, specifically the sign by the green dinosaur and whether it would be grandfathered in. Gabby explained that the regulations applied to new construction, and existing signs would be subject to approval based on when they were erected. After further discussion, *Councilmember Robin O'Driscoll moved to approve Ordinance 2024-02 as presented. Councilmember Edward Long seconded the motion. The motion passed with the following roll call vote:*

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Councilmember O'Driscoll.....aye;
Councilmember Long.....aye;
Councilmember Millsaye;
Councilmember Foley.....aye.

PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE SECTION 16.24.060 – FLAG LOTS PERMITTED - ORDINANCE 2024-05: Gabby Blackburn explained the definition of a flag lot. She explained that a requested flag lot did not meet the fire hydrant requirements so the fire marshal was asked if those regulations were feasible and it was found there is better language. The Council can only approve a flag lot if that is the only way to develop substantial use. It is not clear what substantial use is. The best wording is to say significant utilization and not detract from development patterns or community goals.

Mayor Doug Hammond opened the public hearing. There being no public comments, the public hearing was closed. Councilmember Corey Foley asked if there was a minimum size restriction. Gabby Blackburn advised it is based on the zone. Councilmember Corey Foley voiced his strong opposition to flag lots based on privacy issues for the neighbors. Gabby Blackburn stated there are instances where it is hard to utilize property without being a flag lot. She noted that privacy concerns can be taken care with setback requirements. Councilmember Edward Long asked how often the trails master plan is updated as property has to be reserved for trails. Quinn Bennion stated the current plan was adopted in 2018. He noted that plan only affects less than 5% of lots. After further discussion, *Councilmember Corey Foley moved to approve Ordinance No. 2024-05. Councilmember Edward Long seconded the motion. The motion passed with the following roll call vote:*

Councilmember O'Driscoll.....aye;
Councilmember Long.....aye;
Councilmember Millsaye;
Councilmember Foley.....aye.

REQUEST APPROVAL OF ANNEXATION FOR LMP HOLDINGS, LLC, (PRICE ANNEXATION) – ORDINANCE NO. 2024-06: Roxanne Behunin explained that this is the property by the airport where the building was built half in the City and half in the County. Notices were sent out and one protest was received. The City worked with that entity and they withdrew their protest so the Council can now approve the annexation of this property into the City. Quinn Bennion stated the protest was from Ashley Valley Water and Sewer Improvement District who services that property and were concerned if it becomes part of Vernal City they would lose revenue. With the help of the attorneys, a Memorandum Of Understanding was signed so they continue to service that property for up to 7 years. Then a decision will be made to see if it should be switched over to Vernal City

Mayor Doug Hammond opened the public hearing. There being no public comments, Mayor Hammond closed the public hearing. Councilmember Edward Long moved to approve Ordinance No. 2024-06 annexing the property at 624 East 500 South into Vernal City. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following roll call vote:

Councilmember O'Driscoll.....aye;
Councilmember Long.....aye;
Councilmember Millsaye;
Councilmember Foley.....aye.

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Councilmember Corey Foley acknowledged with the water crisis that Ashley Valley Water is facing changing this parcel over to the City would have been a benefit to them and instead they protested. He thanked the staff for their efforts to resolve this issue.

STAFF REPORTS

Cobblerock Block Improvements:

Quinn Bennion reported the Cobblerock Block property is being cleared to begin the installation of utilities.

State Legislature:

The State Legislature is still in session and is considering proposals to require a certain size of garages and the City's would have to consider that as part of their parking allotment. The main purpose of this is for affordable housing initiatives.

1 **CLOSED SESSION:** *Councilmember Randel Mills moved to reconvene into closed session to*
2 *discuss the character, professional competence, or physical or mental health of an individual.*
3 *Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following roll call*
4 *vote:*

Councilmember O'Driscoll.....aye;
Councilmember Long.....aye;
Councilmember Millsaye;
Councilmember Foley.....aye.

11 **RECONVENE INTO OPEN SESSION AND ADJOURN:** The meeting reconvened into open
12 session. There being no further business; *Councilmember Edward Long moved to adjourn.*
13 *Councilmember Randel Mills seconded the motion. The motion passed with a unanimous vote*
14 *and the meeting was declared adjourned.*

Mayor Doug Hammond

ATTEST:

20 Roxanne Behunin, City Recorder

(S E A L)