

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JULY 16, 2025 at 6:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Ed Long.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Robin O'Driscoll.

APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 18, 2025 *Councilmember Ed Long moved to approve the minutes of the Regular City Council Meeting held June 4, 2025. Councilmember Corey Foley seconded the motion. The motion passed with Councilmembers Munford, Mills, O'Driscoll, Foley and Long voting in favor.*

APPROVAL OF THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD JUNE 25, 2025 *Councilmember Randel Mills moved to approve the minutes of the Special City Council Meeting held June 4, 2025. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Mills, O'Driscoll, Foley and Long voting in favor.*

PUBLIC HEARING REGARDING THE MOONSHINE STEAK HOUSE LLC BUSINESS LICENSE AND POSSIBLE REVOCATION - MICHAEL HARRINGTON

City Attorney Michael Harrington addressed the City Council regarding a business license violation involving The Valley Steakhouse, operating under Moonshine Steakhouse LLC. He outlined the legal process per Vernal City Code and explained that proper notice of the hearing had been given to the business, though no representative appeared. He and Assistant City Manager Braeden Christofferson had made multiple attempts to contact the business owner, Ryan Simpson, without success.

Mr. Harrington provided a timeline showing the Utah State Tax Commission began enforcement actions in June 2024, reached a payment agreement in July, but later determined the business had defaulted. In March 2025, the State issued an official notice of noncompliance, followed by a formal communication to the City in April. He confirmed that the business is still serving alcohol unlawfully and explained that retaining collected sales tax without remittance constitutes theft.

Councilmembers expressed strong concern, calling the business's actions unacceptable. Councilmember Ted Munford noted that the State had passed enforcement responsibility to the City and described the violations as theft from the community. Councilmember Corey Foley emphasized the unfair advantage created by the business's noncompliance and stressed the

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importance of protecting honest business owners. Councilmember Ed Long and Councilmember Randel Mills supported immediate action, calling for firm enforcement.

Mr. Harrington outlined legal options, including daily citations and the potential for a court-ordered shutdown. He stated citations would begin the following day, with court appearances required within 5 to 14 days. A public hearing was opened by Mayor Doug Hammond, and one resident, Carol Kendall, spoke in support of enforcement. The hearing was then closed.

City Manager Quinn Bennion confirmed that the State has placed a lien on the business's assets and is actively pursuing collection. He recommended the Council revoke the business license based on the evidence presented.

With the evidence provided, Councilmember Ted Munford moved for the revocation of the business license of Moonshine Steakhouse LLC and to begin issuing citations the following day, requesting a progress update within two weeks. Councilmember Randel Mills seconded the motion. The motion passed unanimously with the following roll call vote:

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

PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE AMENDED ANNEXATION POLICY PLAN RESOLUTION NO 2025-15 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented an update to Vernal City's Annexation Policy Plan, originally adopted in 2008. The update is required to comply with Utah Code §10-2-803, which became effective on May 7, 2025. Key elements of the update include a clarified annexation boundary map, refined evaluation criteria for annexation petitions, clearly defined infrastructure policies related to water, sewer, road access, and land use compatibility, and enhanced public engagement requirements such as Class A notices and coordination with affected entities.

Mr. Christofferson noted that the update aligns with the City's overall growth strategy, citing Ashley Valley's population increase from approximately 30,000 in 2008 to around 35,000 in 2025. He explained that while no affected entities attended the public hearing, notices were properly sent ten days prior and the Planning Commission had previously reviewed the policy in two separate meetings. He clarified that the primary change to the maps was an updated depiction of Vernal City boundary lines and that the policy helps ensure cohesive annexation boundaries in accordance with state law.

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Mayor Doug Hammond opened the public hearing. There being no public comment, the hearing was closed and discussion returned to the Council.

Councilmember Ted Munford inquired whether the City's policy includes any provisions beyond what is required by state statute. Mr. Christofferson responded that the policy directly reflects the requirements of state law, including the mandated 20-year growth projection. He noted that Vernal experienced a slight negative growth rate last year and commented that the current map is a reasonable and appropriate foundation moving forward.

Councilmember Ted Munford motioned to approve the adoption of the Amended Annexation Policy Plan, Resolution No 2025-15. Council Member Robin O'Driscoll seconded the motion. The motion passed with the following rollcall vote:

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

CONSIDER APPROVAL OF CHANGE ORDER #2 FOR THE DOWNTOWN WATER IMPROVEMENTS PROJECT - KEITH DESPAIN

Public Works Director Keith Despain provided an update on the City's ongoing water line projects, explaining that while the work is substantially complete and now in service, several unforeseen issues during construction led to change orders totaling \$27,862.94.

The first issue occurred near 200 East and Highway 40, where a cluster of valves failed to hold when City crews attempted to isolate the area. Multiple intersections were affected, requiring several days of labor and specialized equipment. A valve company was brought in to install valves on live water lines and the repair led to additional road cuts and asphalt work. This resulted in about \$23,000 in added costs.

The second issue arose at the hospital entrance, where a valve cluster replacement was complicated by an unmarked water line that was struck. It took more than a day to shut the line down safely, though service to the hospital was not interrupted. This portion of the work added approximately \$6,000.

The third item involved changes related to the City's acquisition of the Lamplighter property. Three existing service lines were removed from the plan, and a new fire hydrant with an eight-inch line was installed to support future development, adding about \$7,000.

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Mr. Despain noted that the total cost of these changes was consistent with standard project management and that future updates would include adjustments for final quantities. He stated the overall project cost remains very close to the original contract estimate and engineers will be available at the next Council meeting for additional questions. Councilmember Ed Long asked if these change orders are incorporated into the contract as the project proceeds and whether any efficiencies may bring the final cost below the original estimate. Mr. Despain confirmed that some items have come in under budget and that final adjustments will be presented soon.

Councilmember Corey Foley motioned to approve Change Order #2 for the Downtown Water Improvements Project. Councilmember Ed Long seconded the motion. The motion passed with the following rollcall vote:

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

CONSIDER APPROVAL OF CHANGE ORDERS #1 AND #2 FOR THE 200 SOUTH WATERLINE PROJECT - KEITH DESPAIN

Public Works Director Keith Despain presented two additional change orders related to the City's water line replacement project.

The first change order involved a service connection that was installed directly above a failing private sewer lateral. The contractor offered the homeowner the option to replace the lateral while the trench was open, though the City would not be responsible for the cost as the lateral is privately owned. Instead of repairing the line in place, the service connection was moved 10 feet to the west to avoid conflict. The change order totaled approximately \$4,300, which covered crew time and the use of a vacuum truck for exploration.

The second change order was initiated at the City's request. The original project design called for replacing existing lines from 100 North to 800 West with 8-inch pipe. However, since then, the City received funding for a future project on 100 North, which will include a 10-inch water line. Because of a two-block overlap between the two projects, staff requested that the contractor install a 10-inch line instead of the originally planned 8-inch to ensure consistency. While the contractor submitted a material cost of \$212,605 for the 10-inch line, the City was credited for the cost of the 8-inch pipe, resulting in a net change of \$63,000.

Councilmember Robin O'Driscoll asked whether additional funds were received from the Community Impact Board (CIB) to cover this change. Mr. Despain confirmed that no additional funding was provided but noted that the original contract was awarded under the total funding

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amount. He added that there are portions of the project that will not be completed, resulting in cost savings that will more than offset the \$63,000 increase. The City hopes to apply remaining funds toward a future project on 400 North and is working with the contractor to potentially transition to that work.

Councilmember Ed Long made a motion to approve Change Orders #1 and #2 for the 200 South Waterline Project. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following rollcall vote:

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

CONSIDER APPROVAL OF THE IDENTICAL PLANS ORDINANCE NO 2025-18 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a proposed ordinance to comply with Utah Code § 10-9a-541, which requires municipalities to adopt an expedited review process for identical residential building plans. The purpose of the ordinance is to streamline residential construction by allowing developers to reuse previously approved building plans that are identical in design and layout, thereby reducing review time and administrative burden.

Mr. Christofferson explained that the proposed ordinance, Section 15.01.018 – Identical Plans, applies only to residential buildings and only when the same plan is used on different lots with no material design changes. The ordinance ensures efficiency while maintaining compliance with adopted building codes and zoning regulations. He noted that the City has already been informally applying this practice with success. The proposal also includes an update to the fee schedule, reducing the plan review fee for identical plans to 30% of the original fee, providing a 70% savings for developers and helping to lower construction costs.

Councilmember Ted Munford supported the idea but expressed concern that it could result in monotonous neighborhood designs. Mr. Christofferson clarified that the ordinance applies strictly to structural plans and does not regulate aesthetics. He added that if a builder misrepresents a plan as identical, state-level enforcement actions could be pursued.

Councilmember Robin O'Driscoll motioned to approve the Identical Plans Ordinance No 2025-18. Councilmember Randel Mills seconded the motion. The motion passed with the following roll call vote:

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

CONSIDER APPROVAL OF THE MASTER SITE PLAN ORDINANCE NO 2025-19 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a continuation of the master site plan discussion, confirming that proposed updates to the code ensure compliance with City standards. The update formally reduces the compliance period for nonconforming structures from three years to two years. Councilmember Corey Foley stated that the update was straightforward and simply ratifies the changes agreed upon during the previous City Council meeting.

Councilmember Corey Foley motioned to approve the Master Site Plan Ordinance No 2025-19, and Councilmember Randel Mills seconded the motion. The motion passed with the following rollcall vote:

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

CONSIDER THE AMENDMENT TO THE FACADE GRANT PROGRAM RELATED TO NEW CONSTRUCTION OF PARKING LOTS, RESOLUTION 2025-11 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a proposed amendment to clarify eligible expenses under the City's downtown grant program. He explained that the change was prompted by concerns from applicants and staff, who noted that the current language could allow substantial reimbursement for new construction costs, particularly for items like parking lots and foundations which was not the intent of the grant. The amendment aims to ensure that grant funds are used wisely and directed toward improving business structures rather than offsetting basic construction costs. Mr. Christofferson stated that while the program remains available for both new and existing buildings, reimbursement will no longer apply to items such as framing, concrete, foundations, or parking lots related to new construction.

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Councilmember Ed Long asked whether the amendment addressed items beyond just parking lots. Mr. Christofferson confirmed that it does, and that previous language was too vague which created the perception of a loophole. City Manager Quinn Bennion added that the change preserves the grant's purpose to encourage meaningful construction and reinvestment while preventing misuse.

Councilmember Corey Foley noted that the grant cap is \$100,000 and the number of projects where this could apply is limited. He emphasized that the original intent of the grant was to support improvements to existing buildings.

Councilmember Corey Foley made a motion to approve the Amendment to the Facade Grant Program Related to New Construction of Parking Lots, Resolution 2025-11. Councilmember Ed Long seconded the motion. The motion passed with the following rollcall vote:

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

DISCUSSION ABOUT PARTICIPATION IN THE 2026 USU WELLBEING SURVEY WITH A MATCH OF \$800 - QUINN BENNION

City Manager Quinn Bennion reported on a community wellbeing survey led by Dr. Courtney Flint at Utah State University. He noted the City's participation in two survey cycles and commended residents for an increase in participation in 2024 compared to 2022. He explained that while prior participation had no cost, the program now uses a tiered fee structure and Vernal City's size would result in an \$800 fee. He stated that the data has been used repeatedly to gauge priorities and requested Council input on continued participation in 2026.

Councilmember Ed Long asked about survey frequency and whether results would show meaningful change by 2026. City Manager Quinn Bennion anticipated some improvement given recent downtown initiatives and positive community messaging, though he acknowledged results may not be dramatic and suggested an alternative participation of every four years. Councilmember Long observed that the fee is modest but emphasized the need for actionable insights rather than a repetition of charts. City Manager Quinn Bennion emphasized the importance of framing City communications to address resident perceptions, indicated he would coordinate with the City Recorder on messaging, and recommended participating again.

Councilmember Ed Long made a motion to approve participation in the 2026 USU Wellbeing Survey with a Match of \$800. Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following rollcall vote:

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

STAFF REPORTS

Councilmember Corey Foley reported that in the most recent meeting held with Ashley Valley Sewer Management Board a long-anticipated lift station remodel and rebuild project bid was awarded. Following an extended process, the board was successful in securing a bid for the project which has faced significant deterioration and was in need of a major overhaul. The project, an estimated value of \$1.2 million, was awarded to Stubbs and Stubbs Construction.

City Manager Quinn Bennion provided several updates to the Council. He informed members about the upcoming Utah League of Cities and Towns conference in October and encouraged those interested in attending to reach out, noting it is a valuable opportunity for networking with other municipal leaders across the state.

Mr. Bennion also announced that the City will take the lead on organizing the upcoming Vernal Paddle Pond event, which will feature a revamped format this year. Staff are seeking volunteers to assist with the event, and attendance numbers will be closely monitored. He acknowledged potential concerns due to current drought conditions but assured the Council that efforts are being made to recycle and reuse as much water as possible, particularly for watering county-maintained lawns and flowers.

Councilmember Robin O'Driscoll complimented the way the event was promoted on social media and asked whether the event, if successful, would be scheduled for the same weekend each year or paired with other community events. Mr. Bennion responded that the timing could be adjusted depending on turnout and feedback. He noted that the event draws strong interest, often resulting in long wait times. He also mentioned that food trucks would be on-site for the Thursday evening "Alive After Five" event and that the Saturday Farmers Market would offer additional activities. Councilmember Corey Foley inquired about the status of the John Wesley Powell event element. Mr. Bennion explained that the County previously organized it, but due to limited attendance and high costs, it was discontinued. He noted that attendance may have suffered due to the constraints of the Library Park venue and suggested a larger festival space might improve future participation. Mr. Bennion also highlighted the upcoming community treasure hunt, scheduled to begin that Friday. The event is free and will run through Saturday, though he anticipated the prize would likely be found before Sunday. He shared that the \$10,000 prize remains unchanged and credited the generosity of sponsors for making the event possible. Councilmember Randel Mills commented that the treasure hunt is something the community looks forward to and acknowledged the thought and effort that goes into it.

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CLOSED SESSION

Mayor Doug Hammond announced that the Closed Session portion of the meeting would be held in the Council Chambers following the exit of the present members of the public. Councilmember Randel Mills moved to go into closed session for the following items:

- 1. Strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state or a political subdivision*
- 2. Strategy sessions to discuss the sale of real property, including any form of a water right or water shares*

Councilmember Robin O'Driscoll seconded the motion. The motion passed with the following rollcall vote:

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

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