

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
APRIL 1, 2026 at 6:00 p.m. in the Vernal City Council Room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Corey Foley 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 Nick Porter.

APPROVAL OF THE MINUTES OF THE SPECIAL JOINT CITY COUNCIL MEETING HELD MARCH 18, 2026

Councilmember Robin O'Driscoll moved to approve the minutes of the Special Joint City Council Meeting held March 18, 2026. Councilmember Randel Mills seconded the motion. The motion passed with Councilmembers Mills, O'Driscoll, and Long voting in favor. Councilmembers Munford and Porter abstained from the vote due to their absence at the March 18, 2026 meeting.

APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 18, 2026

Councilmember Randel Mills moved to approve the minutes of the Regular City Council Meeting held March 18, 2026. Councilmember Robin O'Driscoll seconded the motion. The motion passed with Councilmembers Mills, O'Driscoll, and Long voting in favor. Councilmembers Munford and Porter abstained from the vote due to their absence at the March 18, 2026 meeting.

DISCUSSION AND TENTATIVE APPROVAL, PENDING EXPIRATION OF THE TIMELINES, OF THE BOUNDARY COMMISSION DECISION REGARDING THE BRIAR CREEK SUBDIVISION ANNEXATION - MICHAEL HARRINGTON

City Attorney Michael Harrington provided an update regarding the proposed annexation of the Briar Creek Subdivision. He explained that the item was presented to update the City Council on the status of the annexation and to provide transparency for the public following the Boundary Commission review process.

Mr. Harrington summarized that the City received two formal protests to the annexation petition, one from Ashley Valley Water and Sewer District and one from a residential property owner. He noted that the residential protest did not impact the statutory requirements for annexation, while the Ashley Valley protest raised practical concerns, including water service boundaries and the potential for double taxation. He explained that annexation does not automatically adjust service

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district boundaries, which created the need for additional coordination.

Mr. Harrington reported that prior to the Boundary Commission meeting, the City, developer, and Ashley Valley Water and Sewer District met and negotiated conditions to address these concerns. The Boundary Commission determined that statutory requirements for annexation were met and issued a recommendation for approval with conditions. These conditions include installation of a water line connection by the developer to Vernal City infrastructure, initiation of a petition process by property owners to withdraw from Ashley Valley's service district to avoid double taxation, provision of water meters by Vernal City, waiver of additional impact and meter fees for properties that have already paid such fees to Ashley Valley, commitment by Vernal City to provide water service, and use of previously collected fees by Ashley Valley to cover administrative and infrastructure-related costs associated with the transition.

Mr. Harrington explained that state law requires a waiting period following the Boundary Commission decision, including a 20-day appeal window and a 30-day period before the City Council may adopt an annexation ordinance. He stated that the purpose of the discussion was to allow Councilmembers to provide feedback and offer direction or confidence to the developer during this interim period.

Councilmember Ted Munford expressed support for the collaborative approach taken by all parties, noting it reflects effective intergovernmental coordination. Councilmember Randel Mills expressed strong support for the annexation, emphasizing the need for housing development within the community. Councilmember Robin O'Driscoll also expressed support.

Mayor Corey Foley noted his participation on the Boundary Commission and expressed support for the annexation, while also highlighting broader concerns regarding the inefficiencies of multiple water districts operating within the same area.

Councilmember Ed Long raised concerns regarding the use of conditions that are not directly tied to statutory annexation requirements, questioning whether such conditions could complicate or delay future annexations. Mr. Harrington responded that the Boundary Commission indicated conditions were appropriate in this case due to the complexity of the issues and the benefit of resolving them prior to annexation. City Manager Quinn Bennion added that each annexation is unique and that this situation should not be viewed as a standard template, noting that the conditions helped avoid potentially significant costs and complications.

Councilmember Nick Porter expressed support for the annexation and the Boundary Commission's approach, stating that the conditions reflect responsible coordination and community consideration.

Mayor Corey Foley invited Allen Hacking to the podium for comment. Mr. Hacking emphasized concerns regarding fire flow capacity and infrastructure impacts. Public Works Director Keith Despain indicated that appropriate testing and evaluation would be conducted. Michael Eskelson,

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developer for Briar Creek Subdivision, also addressed the Council, expressing support for the annexation and noting the challenges associated with limited water availability and the complexity of the process.

Mr. Harrington concluded by noting that the annexation ordinance is anticipated to be brought forward for formal consideration following the required statutory waiting period.

CONSIDER THE APPROVAL OF A MOWING CONTRACT FOR CITY MAINTAINED PROPERTY - WAYNE SMITH

Wayne Smith presented a contract for mowing services for Vernal City properties. He explained that the City typically bids these services every two years. During the most recent cycle, the Eighth District Court contacted his office to resume the program of the juvenile delinquent group providing mowing services for certain areas to earn community service hours.

Mr. Smith stated that, due to changes in irrigation practices and anticipated reduced mowing needs, the City worked with the selected contractor to modify the agreement to an as needed basis for the current season. He noted that the contractor will have the opportunity to resume a full contract in future years.

City Manager Quinn Bennion emphasized the importance of maintaining fairness to the contractor, suggesting that the contractor be given the opportunity for two full contract years under normal conditions. Mayor Corey Foley inquired about coverage of specific park areas and ongoing efforts toward xeriscaping, to which staff responded that additional xeriscaping is being implemented incrementally each year.

Councilmember Ed Long made a motion to approve the mowing contract for City maintained properties as presented. Councilmember Nick Porter 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 Porter..... aye;

CONSIDER THE APPROVAL OF AMENDING VERNAL CITY PLANNING AND ZONING CODE SECTION 16.45 MIXED USE ZONE, ORDINANCE NO. 2026-06 - BRAEDEN CHRISTOFFERSON

Assistant City Manager and Planning Director Braeden Christofferson explained that the amendment is intended to clarify the purpose and function of the mixed use zone and align it with the City's original vision. He noted that the intent of the zone has historically been to encourage vertical mixeduse development, with commercial uses on the ground floor and residential units above, as demonstrated in recent projects within the community. However, staff identified

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provisions in the current code that allow for exclusively residential or exclusively commercial developments, which do not reflect the intended integrated design.

Mr. Christofferson stated that the proposed amendment requires a commercial component for developments, including a minimum of 20 percent commercial floor area for projects up to ten units, and increases residential parking requirements to two spaces per unit. He further explained that the amendment clarifies that mixed use must be integrated within a single development, rather than separated uses, and establishes clearer expectations for building form, including residential uses above commercial space. Mr. Christofferson noted that the amendment is intended to provide greater predictability for developers and residents by ensuring that properties zoned for mixed use are developed consistently with the City’s vision.

Mayor Corey Foley expressed support for the amendment, noting that it reflects the original intent discussed during prior Planning Commission deliberations and provides needed clarification. Councilmember Nick Porter also expressed support, stating that the amendment is a positive improvement to the code.

City Manager Quinn Bennion noted that staff carefully reviewed the amendment to ensure that it does not negatively impact previously approved mixed use projects that have not yet been constructed.

Councilmember Ed Long made a motion to approve amending Vernal City Planning and Zoning Code Section 16.45 Mixed Use Zone, Ordinance No. 2026-06. Councilmember Nick Porter seconded the motion. The motion passed unanimously with the following roll call vote:

<i>Councilmember Munford.....</i>	<i>aye;</i>
<i>Councilmember Mills.....</i>	<i>aye;</i>
<i>Councilmember O’Driscoll.....</i>	<i>aye;</i>
<i>Councilmember Long.....</i>	<i>aye;</i>
<i>Councilmember Porter.....</i>	<i>aye;</i>

**CONSIDER THE APPROVAL OF AMENDING AMENDING VERNAL CITY
PLANNING AND ZONING CODE SECTION 16.58.120 LAYOUT AND ACCESS,
ORDINANCE NO. 2026-07 - BRAEDEN CHRISTOFFERSON**

Assistant City Manager and Planning Director Braeden Christofferson presented a proposed amendment to the Vernal City Subdivision Code related to access requirements and explained that the amendment increases the threshold requiring a secondary access point from 25 units to 30 units on a single access. He noted that this change aligns the City’s standards with the International Fire Code and regional practices, allowing fire and safety professionals to determine appropriate thresholds rather than maintaining a more restrictive local standard.

Mr. Christofferson stated that the amendment is intended to provide consistency with surrounding jurisdictions, improve development flexibility, and support the construction of additional housing

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within the community.

Councilmember Nick Porter expressed support for the amendment, noting it as a positive change.

Councilmember Nick Porter made a motion to approve amending Vernal City Planning and Zoning Code Section 16.58.120 Layout and Access, Ordinance No. 2026-07. Councilmember Ed Long 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 Porter..... aye;

CONSIDER THE APPROVAL OF THE 100 N SEWER LATERAL FINANCING - KEITH DESPAIN

Public Works Director Keith Despain presented information regarding challenges identified during the 100 North Water and Sewer Project related to aging Orangeburg sewer laterals. He explained that the condition and prevalence of these laterals have created a need for immediate consideration of replacement options prior to completion of roadway improvements. Mr. Despain noted that staff recently met with residents and have been working to provide information and encourage proactive replacement.

Mr. Despain outlined a proposed assistance program in which the City would help finance a portion of the lateral replacement costs, with repayment made by property owners over a five-year period through their utility bills. He proposed limiting the program to single-family residential properties, excluding commercial and multi-family developments, and noted that homeowners would be responsible for hiring contractors and determining final costs. He stated that the City would contribute up to a capped amount toward each replacement and suggested a contribution of approximately \$7,000 based on contractor estimates ranging from \$10,000 to \$11,000.

Councilmember Ted Munford inquired about the estimated monthly cost to residents and expressed support for the program, noting that the proposed structure would significantly assist homeowners facing unexpected infrastructure costs. He further noted that similar issues likely exist in other areas of the City and emphasized the importance of helping residents address the problem proactively.

Councilmember Nick Porter sought clarification regarding the timing of the program and confirmed that the assistance would only be available prior to completion of roadway improvements. Public Works Director Keith Despain confirmed that the program is intended to incentivize replacement before new pavement is installed.

Mayor Corey Foley emphasized the importance of addressing the issue prior to road completion,

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noting that once the road is reconstructed, a moratorium and associated fees for cutting into new pavement would significantly increase costs for homeowners. He expressed concern that delayed replacements could result in substantially higher expenses in the future.

City Manager Quinn Bennion provided additional context, noting that while approximately 90 connections exist along the corridor, the number of eligible participants is likely lower after accounting for commercial properties, previously replaced laterals, and those opting not to participate. He estimated participation could range between 20 to 30 properties. He also noted that a lien would be placed on participating properties to secure repayment over time.

Councilmember Randel Mills confirmed that the Council is considering both the structure of the program and the appropriate funding amount. Councilmember Ted Munford and Councilmember Nick Porter both expressed support for the proposed \$7,000 contribution level, noting that it strikes a reasonable balance between assisting residents and maintaining fiscal responsibility.

Councilmember Ed Long made a motion to approve the 100 North Sewer Lateral Financing Program at \$7,000 per household for five years at no interest. Councilmember Robin O'Driscoll seconded the motion. The motion passed unanimously with the following roll call vote:

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

UPDATE ON LOCAL DROUGHT CONDITIONS - IVAN MERRELL

Water Superintendent Ivan Merrell presented an update on current water supply conditions, noting significantly below-average snowpack levels and early runoff trends. He explained that data from the Mosby site indicates current conditions are tracking below historic lows, with peak snowpack occurring approximately 32 days earlier than average at roughly 53% of normal. Mr. Merrell further noted that recent above-average temperatures have accelerated runoff, with flows occurring earlier than historically recorded, resulting in a shortened runoff period. He stated that the City is likely to experience a reduced and early-ending water supply, coupled with a forecast of continued hot and dry conditions through the upcoming months.

Mr. Merrell explained that while Red Fleet Reservoir contains sufficient supply to meet indoor water demands, the City primarily relies on spring flows for daily usage, which are expected to diminish earlier than normal. He emphasized that conservation efforts will need to occur in real time as conditions evolve, particularly later in the summer.

Councilmember Randel Mills inquired about current reserves, to which Mr. Merrell confirmed that reserves are full but limited to approximately one day of supply without reliance on spring flows. He also noted ongoing efforts to promote water conservation initiatives, including partnership

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opportunities for xeriscaping demonstration projects and participation in state rebate programs.

City Manager Quinn Bennion emphasized the importance of considering implementation of conservation rate structures, noting that voluntary conservation efforts alone may not produce sufficient impact. Mr. Merrell added that conservation rates must be substantial enough to influence behavior and are most effective when tied to defined conditions or triggers.

Councilmember Randel Mills noted that timing will be a critical factor in implementing any rate adjustments. Mr. Merrell stated that staff are actively working on a broader water rate restructuring plan, which may include conservation rate triggers based on supply conditions.

Mayor Corey Foley expressed concern regarding the use of conservation rate structures as a revenue-generating mechanism, emphasizing the importance of ensuring such measures are directly tied to actual water shortages. He noted the need to carefully balance financial impacts on residents while addressing resource limitations.

Councilmember Ed Long recommended development of a comprehensive drought management plan, including clearly defined triggers, phased response measures, and public communication strategies. He suggested that such a plan would provide transparency and reduce reactive decision making during drought conditions.

Additional discussion included regional water coordination efforts and ongoing conversations with other water providers regarding supply management and infrastructure. Staff indicated that further analysis and planning are underway.

City Manager Quinn Bennion and Public Works Director Keith Despain reported that staff are actively developing a water management and conservation strategy and anticipate presenting a formal plan, including potential rate structures and conservation measures, for City Council review at an upcoming meeting. Mr. Merrell also noted that a public outreach campaign will be initiated to encourage water conservation.

**CONSIDER THE APPROVAL TO ENTER INTO CONTRACT NEGOTIATIONS WITH
ASTERRA FOR SATELLITE LEAK DETECTION - IVAN MERRELL**

Water Superintendent Ivan Merrell presented a proposal to implement advanced leak detection services to address ongoing water loss within the City's distribution system. He explained that current loss levels exceed acceptable standards and are trending upward, creating concern as the City faces increasingly limited water supply conditions.

Mr. Merrell described the proposed technology as a satellite-based system capable of identifying underground leaks by detecting chlorinated water signatures, providing targeted locations for further investigation. He stated that the service would include two satellite scans, data analysis, and approximately 40 hours of on-site verification by leak detection professionals. The estimated cost for the service is \$48,000.

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Mr. Merrell noted that partial funding is available within the existing budget and stated that, while repair costs may increase as leaks are identified, addressing system losses is a necessary step toward long-term water conservation and efficiency.

Councilmember Ted Munford and Councilmember Randel Mills expressed support for the proposal, noting that the investment is reasonable given the potential benefits. City Manager Quinn Bennion inquired about references, and Mr. Merrell reported that other municipalities, including St. George and Washington County, have utilized the technology with positive results.

Mayor Corey Foley expressed support, noting that successful implementation could significantly improve the City's ability to identify and address water leaks.

Councilmember Randel Mills made a motion to approve entering into contract negotiations with Asterra for satellite leak detection as presented. Councilmember Robin O'Driscoll 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 Porter..... aye;

STAFF REPORTS

Councilmember Randel Mills reported that he met with representatives from Ashley Valley Sewer Management Board and noted that significant progress is being made on the transfer station rebuild. He stated that bypass pumping has been implemented and the project is advancing well, with an estimated completion timeline of approximately 30 days.

Councilmember Robin O'Driscoll reported that the Fire District held an emergency meeting that evening and approved a burn restriction order. She noted that the restriction has been coordinated with the County and will go into effect the following day.

City Manager Quinn Bennion reported on recent coordination efforts related to the America 250 celebration, noting that planning is underway for a large-scale community fireworks display. He emphasized the importance of safety and encouraged participation in organized events rather than individual displays.

Councilmember Robin O'Driscoll added that Fire District leadership has expressed confidence in professionally managed fireworks shows, noting that such events are conducted safely and in accordance with established standards.

City Manager Quinn Bennion reported on two upcoming zoning applications expected to generate public interest. He noted that the first request involves property located on 500 North west of

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Calvary Church, proposing a rezone from R-1/RA-1 to R-3 to allow for triplex and fourplex development. The second request involves approximately eight acres on 500 West east of Uintah Basin Healthcare, currently zoned R-3, with a proposal to rezone to R-4. Mr. Bennion noted that a similar request for that property approximately 13 to 15 years ago generated significant neighborhood attention and indicated that staff has advised the applicant of prior community concerns.

Mayor Corey Foley expressed appreciation to the Vernal Police Department for assisting with a community escort recognizing the Vernal Oilers hockey team's recent national championship. He noted that a proclamation designating "Vernal Oilers Day" was prepared and presented in recognition of the team's achievement.

Mayor Foley also commented on recent community engagement efforts, including participation in a middle school event and other City activities. Quinn Bennion added that City staff recently participated in a local career day event for seventh-grade students, providing education and outreach regarding City operations.

CLOSED SESSION

Mayor Corey Foley announced the closed session portion of the meeting would be held in the Jury Room following the exit of the present members of the public. *Councilmember Ted Munford 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 Randel Mills seconded the motion. The motion passed unanimously with all in favor.

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