

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MAY 6, 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 special meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Mayor Corey Foley.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Randel Mills.

APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 15, 2026

Councilmember Ted Munford moved to approve the minutes of the Regular City Council Meeting held April 15, 2026. Councilmember Robin O'Driscoll seconded the motion. The motion passed with Councilmembers Munford, Mills, O'Driscoll, Long, and Porter voting in favor.

APPROVAL OF THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD APRIL 29, 2026

Councilmember Nick Porter moved to approve the minutes of the Special City Council Meeting held April 29, 2026. Councilmember Ed Long seconded the motion. The motion passed with Councilmembers Munford, Mills, O'Driscoll, Long, and Porter voting in favor.

PRESENTATION ON THE VERNAL ROCK RALLY - RANCH PRATT

Ranch Pratt and Dana Zamalloa presented information regarding the future vision and expansion plans for the Vernal Rock Rally event. Mr. Pratt introduced himself and Ms. Zamalloa and outlined their professional backgrounds in motorsports, marketing, manufacturing, and national automotive brand partnerships. He explained that they had contracted with Uintah County to operate the Vernal Rock Rally over the next several years and expressed their desire to grow the event from a local off-road gathering into a nationally recognized motorsports destination event.

Mr. Pratt shared that Vernal is uniquely positioned to host large-scale off-road and recreational events and explained that their long-term goal is to attract national sponsors, larger attendance numbers, and increased tourism exposure for the community. He referenced similar events held in other Utah communities that have experienced substantial growth and indicated that the intent would be to grow the Vernal event responsibly and collaboratively with the community. He explained that national sponsors had already committed to supporting the event and that additional well-known personalities, vehicles, and automotive brands would be involved in future years. He stated that the organizers were requesting both in-kind support and financial assistance from Vernal City to help build the event and increase promotional efforts.

Councilmember Ted Munford asked what type of financial assistance was being requested and questioned whether the event operated as a for-profit organization. Mr. Pratt stated that the request was for \$10,000 to assist primarily with advertising and media promotion. He acknowledged that the organization itself

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operated as a for-profit entity but emphasized that the intent was to reinvest proceeds into growing the event and its long-term economic impact within the community.

Dana Zamalloa further explained that the organizers had established relationships with major automotive manufacturers and national brands and were actively pursuing additional sponsorship opportunities, including a future meeting with Toyota Corporate regarding potential involvement in the event. She stated that the vision included additional evening activities and expanded programming intended to benefit local restaurants, businesses, and tourism throughout the city. Ms. Zamalloa explained that professional media teams would be attending the event to produce promotional material that would assist in attracting additional sponsors and broader national recognition for Vernal.

Councilmember Ted Munford stated that he supported the concept of the event and believed the area was well suited for off-road recreation. He expressed hesitation regarding the use of public funds to support a for-profit organization and noted that he had not yet received financial documentation such as balance sheets or profit and loss statements for review. Mr. Pratt responded that the event had historically been operated by several different groups and emphasized that the long-term benefit and infrastructure created by the event would remain within the community regardless of future organizers. Ms. Zamalloa added that all current revenues generated from registration and related activities were being reinvested directly back into the event and its growth, consistent with commitments previously made to Uintah County.

Discussion followed regarding a sponsorship review form that had previously been emailed to the organizers. Councilmember Munford stated that additional financial information would be necessary before he could make a decision regarding funding support.

Mr. Pratt also requested consideration for in-kind support in the form of promotional banners or flags throughout the city during the event. City Manager Quinn Bennion explained that the City maintains a budget line item for event banners and noted that the banners used by the City are high-quality materials designed for long-term use and maintenance. He stated that the banners generally cost approximately \$300 each. Councilmember Munford requested that staff prepare additional information and estimated costs associated with the request before any decisions were made.

Councilmember Ted Munford moved to table the sponsorship request for the Vernal Rock Rally until additional information could be provided. Councilmember Ed Long 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>

PROCLAMATION OF ADVENTURE SAFE DAY - QUINN BENNION

City Manager Quinn Bennion presented a proclamation recognizing Adventure Safe Day. Mr. Bennion stated that the item was ceremonial in nature rather than legislative and explained that the proclamation had been requested to recognize the extensive outdoor recreation opportunities surrounding Vernal City.

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He stated that the proclamation supported statewide efforts promoting outdoor adventure safety and responsible recreation practices. Mr. Bennion further explained that the proclamation designated May 16 as Adventure Safe Day in support of those efforts.

Councilmember Robin O'Driscoll made a motion to recognize Adventure Safe Day on May 16.

Councilmember Randel Mills 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>

PUBLIC HEARINGS

Mayor Corey Foley addressed the public prior to opening the public hearing portion of the meeting and stated that all individuals present shared a common interest in the future and wellbeing of Vernal City, despite differing opinions and perspectives.

Mayor Foley outlined the procedures and expectations for the public hearing process, stating that members of the public would be allowed one opportunity to speak on each hearing item, limited to three minutes per person without transfer or extension of time. He noted that the City Council had also received letters, emails, and written submissions related to the hearing items, all of which had been distributed to the Council for review and consideration.

Mayor Foley clarified that the purpose of the hearing was to receive public comment and that speakers should not expect debate or direct responses from the Mayor, City Council, or City staff during the meeting. He instructed speakers to state their name for the record, remain on topic, follow meeting procedures, and avoid disruptions to ensure all individuals had an opportunity to be heard. He further stated that comments must be limited to the agenda item currently under discussion and that discussion on previous items would be considered closed once the Council moved to the next hearing item.

Mayor Foley also stated that, while public comments and opinions were welcomed, factual statements should be supported by evidence. He explained that the Council is required to base its decisions on evidence presented, the Vernal City General Plan, applicable land use regulations, and the overall welfare of the community, and could not deny an application solely based on popularity.

Mayor Foley thanked members of the public for their participation and acknowledged the significant number of emails, phone calls, text messages, and written comments submitted regarding the hearing items. He emphasized the importance of citizen involvement and communication with elected officials. Mayor Foley also commented on the importance of both freedom of speech and private property rights and encouraged all participants to remain respectful throughout the proceedings.

City Attorney Michael Harrington addressed the Council and public regarding the legal parameters associated with the proposed rezoning requests. Mr. Harrington explained that zoning serves as a

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foundational tool for protecting both individual property rights and the health, safety, and welfare of the surrounding community. He stated that property owners may seek assistance through zoning and rezoning processes to address those interests and concerns.

Mr. Harrington advised the Council to first consider any potential conflicts of interest prior to deliberating on the proposed rezonings. He explained that Utah law requires government officials to publicly disclose any financial interest related to matters under consideration, including issues involving property use or development. He further stated that any Councilmember with a conflict of interest would be required to disclose the conflict, refrain from commenting on the merits of the matter, and recuse themselves from voting. Mr. Harrington noted that the same standards apply to all governmental decision-making bodies in Utah, including Planning Commission members.

Mr. Harrington stated that Mayor Corey Foley had previously disclosed a conflict of interest related to the proposed rezonings and would continue to preside over the meeting but would refrain from participating in deliberations or voting on the matters before the Council.

Mr. Harrington further explained that rezoning decisions are legislative in nature and that the Council possesses broad discretion to approve or deny rezoning applications. He stated that no single argument or statutory requirement dictated a predetermined outcome and advised that, so long as the matter remained reasonably debatable and the Council's considerations were tied to the public welfare, the Council could make the decision it believed best served the community.

Mr. Harrington encouraged both the Council and members of the public to focus comments on established facts rather than unsupported assertions and stated that factual statements should be supported by evidence to assist the Council in reaching legally sound decisions. He also encouraged speakers to avoid repeating previously stated arguments and instead note agreement with prior comments when applicable to allow the meeting to proceed efficiently.

Mr. Harrington additionally reminded attendees that the City Council had reviewed written letters and submissions received from the public and stated that speakers could reference those materials rather than restating them in full during public comment. He concluded by explaining that the Vernal City General Plan serves as a guideline for both the Planning Commission and City Council during decision-making processes, but that the General Plan itself is advisory rather than mandatory.

Mayor Corey Foley publicly disclosed a conflict of interest related to Agenda Item No. 9 concerning the Everbuilt rezone request. Mayor Foley stated that the conflict existed due to direct family ties to neighboring property owners as well as prior professional work experience with the requesting developer. He requested that the disclosure be reflected in the official record.

Mayor Foley explained that, based on guidance received from City Attorney Michael Harrington, he would recuse himself from voting on the matter. He then requested direction from the City Council regarding whether they preferred that he remain present to facilitate and manage the meeting in a neutral capacity or whether they preferred that he leave the meeting entirely during discussion of the item. Mayor Foley stated that, if permitted to remain, he would act solely as a neutral facilitator and would refrain from participating in deliberations or voting on the rezone request.

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Councilmember Ted Munford made a motion that Mayor Corey Foley be Mayor of the meeting and remain for the entirety of the meeting. 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>

CONSIDER THE APPROVAL OF THE FRANCISCO REZONE (REBECCA FRANCISCO) FOR PROPERTY LOCATED AT 356 EAST 100 NORTH, PARCEL #050200075 – ORDINANCE 2026-11 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a request to rezone approximately one parcel located at 356 East 100 North from R-4 Residential to C-1 Commercial Corridor. Mr. Christofferson explained that the request originated through a business license review process during which staff determined the existing use exceeded the limitations permitted under the City's home occupation standards and functioned more as a primary commercial use. He stated that staff worked with the applicant to identify potential compliance options, including a home occupation permit or a rezone request, and that the applicant elected to pursue rezoning due to the nature and intensity of the use. Mr. Christofferson further noted that the property is located near existing commercially zoned properties along the Main Street commercial corridor. He clarified that the request involved only the zoning designation of the property and that any future development or site modifications would remain subject to additional City review and compliance requirements.

Councilmember Ted Munford asked the applicant to explain the reason for requesting the rezone. Applicant Rebecca Francisco stated that she is a massage therapist and owner of Relief Massage. Ms. Francisco explained that she and her husband purchased the property several years earlier with the intention of converting it into a massage studio and believed the use qualified under the professional office provisions permitted within the existing zoning district when the original business license was issued. She stated that the business had operated at the location for approximately three years under that understanding. Ms. Francisco further explained that a recent review determined the use would more appropriately require commercial zoning, prompting the rezone request so the business could continue operating at the location. She described the business as a low-impact use with minimal traffic and limited customer visits and stated that she believed the property served as an appropriate transition between the commercial corridor and surrounding residential neighborhood.

Councilmember Ted Munford asked whether any objections had been received regarding the request. Mr. Christofferson stated that staff had received one written objection from a nearby resident, which had been included in the Council packet. He explained that the concerns primarily related to parking and traffic associated with the business. Mr. Christofferson stated that Ms. Francisco had addressed the parking concerns and indicated that parking arrangements would be managed more effectively moving forward. He also noted that additional parking existed at the rear of the property and stated that any future site modifications would require review of parking compliance through the City's development review

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process.

Councilmember Ted Munford stated his general belief that government should remain minimally involved in private property matters whenever possible and indicated that he could not identify a reason to oppose the rezone request. Councilmember Ed Long stated that he had no additional comments and noted that the Planning Commission had previously reviewed the request and forwarded a unanimous recommendation of approval to the City Council.

Mayor Corey Foley opened the public hearing and invited members of the public to speak regarding the proposed ordinance.

Russel Pearson addressed the Council and stated that he did not necessarily object to the rezone request but questioned whether the proposal could be considered spot zoning due to the request involving a single parcel within the surrounding area. He encouraged the Council to consider that issue during deliberations.

Councilmember Ted Munford asked staff whether the request constituted spot zoning due to the property's location near Main Street. Mr. Christofferson responded that commercial zoning already existed directly to the rear of the property and along the Main Street corridor and stated that the request represented a logical extension of the existing commercial area rather than spot zoning.

There being no further comment, Mayor Corey Foley closed the public hearing.

Councilmember Ed Long made a motion to approve the Francisco Rezone located at 356 E 100 N, Ordinance No. 2026-11. Councilmember Ted Munford 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 THE CIVIL SOLUTIONS GROUP REZONE (JAKE BLACK) FOR PROPERTY LOCATED AT 350 NORTH 500 WEST, PARCEL #050220054 – ORDINANCE 2026-12 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a request submitted by Civil Solutions Group to rezone property located at 350 North 500 West, Parcel No. 05:022:0054, from R-3 Residential to R-4 Residential. Mr. Christofferson explained that the applicant intended to pursue future residential development opportunities on the property, potentially including a mix of housing types permitted within the requested zoning district. He clarified that conceptual layouts submitted by the applicant were illustrative only and were not part of the zoning map amendment request itself.

Mr. Christofferson stated that the property is located along the Highway 121 corridor and is situated near a mixture of residential, medical, commercial, and higher intensity land uses. He explained that portions

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of the surrounding area are identified within the Vernal City General Plan for mixed-use and higher-density residential consideration. He further stated that City zoning regulations are intended to promote orderly growth, compatibility of land uses, transportation planning, infrastructure coordination, and the general welfare of the community. Mr. Christofferson noted that concerns raised during the public process included density, traffic, parking, neighborhood compatibility, infrastructure impacts, and the long-term character of the area, all of which were appropriate considerations for the Council to weigh during deliberation. He reiterated that the action before the Council was limited solely to the zoning designation of the property and that any future development proposals would require additional review processes, including site plan approval, subdivision review, utility access, drainage, and infrastructure review.

Mayor Corey Foley asked staff to summarize the recommendation made by the Planning Commission. Mr. Christofferson stated that the Planning Commission forwarded a recommendation of approval to the City Council on a 4-2 vote.

Applicant Jake Black addressed the Council and stated that Civil Solutions Group is a Utah-based firm specializing primarily in residential community development throughout Utah and neighboring states. Mr. Black explained that the company sought the rezone from R-3 to R-4 in order to allow for a wider variety of housing types and price ranges on the approximately eight-acre property. He stated that development under the existing R-3 zoning would largely limit the project to townhomes, resulting in a less diverse housing mix and slower absorption rate. Mr. Black explained that the proposed R-4 zoning would allow for a combination of studio, one-bedroom, and two-bedroom apartments, in addition to three-bedroom and four-bedroom townhomes, thereby creating housing opportunities for a wider range of residents, including families, single individuals, and varying income levels.

Mr. Black further referenced portions of the Vernal City General Plan that encourage the City to modify zoning regulations and development guidelines to align with the vision of the General Plan and to encourage development within vacant or underutilized land already located within incorporated City boundaries. He stated that the property represented a rare opportunity to implement mixed-use and higher-density residential development in an area where utilities, roadways, and infrastructure already exist, thereby reducing the need for outward urban expansion and additional infrastructure demands on undeveloped portions of the City.

Mr. Black addressed concerns raised by nearby residents regarding traffic, density, and neighborhood compatibility. He acknowledged that higher-density residential developments naturally generate traffic concerns but explained that the project would be required to complete a traffic study and undergo review by the Utah Department of Transportation due to its proximity to Highway 121. He stated that roadway improvements or turning lanes would be installed if required by UDOT and emphasized that traffic safety requirements would need to be satisfied prior to any future development approval. Mr. Black also noted that the location's direct access to the highway would reduce traffic impacts on smaller residential streets compared to other undeveloped properties within the community. He additionally discussed efforts to address neighboring property concerns through conceptual design modifications, including pulling taller buildings farther away from adjacent residences and incorporating landscaping and parking buffers between structures and neighboring properties.

Councilmember Randel Mills asked about the anticipated height of the proposed structures. Mr. Black

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stated that the R-4 zoning district allows buildings up to four stories in height; however, the current conceptual plans anticipated primarily three-story buildings due to practical construction and building code considerations. He further explained that the conceptual layout had been revised to position apartment buildings closer to the highway corridor while placing townhomes nearer to surrounding residential properties in an effort to reduce impacts on neighboring homes.

Councilmember Ted Munford stated that he did not have additional questions at that time and expressed interest in hearing public comment before making further remarks.

Mayor Corey Foley then opened the public hearing and invited members of the public to speak regarding the proposed rezone request. He reiterated the public hearing procedures previously outlined at the beginning of the meeting. He reminded attendees that each individual would be allowed one opportunity to speak on the item, with comments limited to three minutes per person and without transfer or extension of time. Mayor Foley also referenced the timer being utilized during the hearing and noted that City Recorder Sara Bell would signal when speakers had exceeded the allotted time. He encouraged participants to remain respectful of the procedures in order to allow all individuals an opportunity to be heard.

Leon Hoyt, residing at 336 North 300 West, addressed the Council regarding the proposed rezone request. Mr. Hoyt stated that he had lived in the area since 1976 and expressed concerns regarding the size and boundaries of the parcel, referencing prior property line issues associated with the land when it had previously been connected to Utah State University. He also raised concerns regarding the high water table in the area and referenced nearby properties, including the hospital, church, service station at 100 North 500 West, duplexes, and apartment buildings, which he stated had experienced groundwater issues requiring imported fill material, weighted fuel storage tanks, and sump pump systems. Mr. Hoyt encouraged the Council to consider groundwater conditions during the review process.

Mr. Hoyt additionally expressed concerns regarding traffic circulation, roadway access, and parking associated with the proposed development. He questioned how traffic impacts would be addressed if access to 500 West became limited and referenced several nearby streets that could experience increased traffic. He also questioned whether the proposed parking design would adequately accommodate larger vehicles commonly owned by residents within the community. Lastly, Mr. Hoyt expressed concern regarding the long-term use of the proposed housing units, noting that previous developments originally presented as townhomes had later functioned primarily as apartment rentals. He questioned whether the City and developer had considered the possibility that the proposed units could similarly transition into rental housing and whether sufficient demand currently existed for additional rental units in Vernal.

Scott Gross, residing at 405 West 400 North, stated that a similar proposal had been discussed approximately 13 years earlier and claimed that access onto 500 West had previously not been permitted by the Utah Department of Transportation due to traffic concerns. He stated that traffic conditions in the area had worsened since that time and expressed concern that the proposed development would direct a significant amount of additional traffic through neighboring residential areas. Mr. Gross estimated that the development could generate approximately 200 additional vehicles and questioned the impact that level of traffic would have during peak morning and evening hours.

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Mr. Gross also expressed concerns regarding existing infrastructure capacity, including utilities, sewer service, and electrical systems. He referenced conversations with local utility representatives and encouraged the Council to further investigate infrastructure limitations associated with the area. Additional concerns raised by Mr. Gross included impacts on Ashley Elementary School, school transportation access, pedestrian safety for students walking to school, and the concentration of higher-density housing developments already existing within the surrounding neighborhood. Mr. Gross further expressed concerns regarding crime rates associated with high-density housing developments and encouraged the Council to carefully evaluate the long-term impacts of additional residential density within the area before making a decision on the request.

Councilmember Ted Munford questioned whether the Utah Department of Transportation had confirmed that access from the proposed development onto 500 West or the highway corridor would be permitted, stating that the project could create significant traffic concerns if direct access was not approved.

Applicant Jacob Black stated that preliminary discussions with UDOT indicated a single highway access point may be permitted, though two access points would not be allowed. He noted that if highway access could not ultimately be approved, the project would likely not be feasible. Mr. Black explained that the request remained in the zoning stage and that detailed review of utilities, traffic, infrastructure, groundwater conditions, and engineering requirements would occur during future site plan and development review processes. He further stated that any identified deficiencies would require developer-funded improvements or could prevent the project from proceeding.

Councilmember Ted Munford expressed concern that the conceptual plans presented to the public would not be binding following rezoning of the property to R-4 Residential and stated that the Council should consider the long-term implications of the zoning designation rather than relying solely on the conceptual plans currently presented.

Mr. Black acknowledged that the conceptual plans were intended to illustrate the applicant's vision for the property and demonstrate efforts to address neighborhood concerns, including building orientation, buffering, roadway access, parking, groundwater conditions, and impacts to adjacent properties. He reiterated that the plans could change during the formal development review process and noted that additional geotechnical studies, surveys, utility analysis, and engineering review would be required prior to development approval.

Allen Hacking, representing Ashley Valley Water and Sewer, expressed concerns regarding sewer infrastructure capacity associated with the proposed development and other higher-density projects within the area. He stated that multiple developments currently discharge into the same downstream collection point where sewer backup concerns already exist and noted that portions of the system were originally installed in 1937. Mr. Hacking expressed concern that the aging infrastructure may not have sufficient capacity to accommodate additional density.

Mr. Hacking further stated that, although infrastructure upsizing had been discussed, the City was already facing financial and construction challenges related to ongoing utility improvement projects. He recommended that additional evaluation of the sewer system be completed prior to consideration of the proposed rezone request.

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Sheri Gross, residing at 405 West 400 North, expressed concerns regarding public safety impacts associated with the proposed higher-density housing development. She stated that the additional residential density would increase traffic and create safety concerns for children walking to nearby schools. Ms. Gross further noted that traffic congestion on 500 West is already significant during school and commuting hours and expressed concern that the proposed development would further impact traffic conditions and roadway safety in the area.

City Manager Quinn Bennion responded to concerns regarding sewer infrastructure capacity and acknowledged that Vernal City, Ashley Valley Water and Sewer, and Maeser Water Improvement District were aware of existing capacity concerns near 1500 East and Main Street. He stated that the issue had been known for several years and explained that the districts were jointly working on an updated sewer master plan to evaluate long-term infrastructure needs and future improvements. Mr. Bennion further noted that recent inspections indicated the system was currently flowing adequately and that maintenance completed by Ashley Valley Water and Sewer had improved portions of the system.

Councilmember Ted Munford asked whether updated sewer capacity information was currently available for the area. Mr. Bennion stated that the updated sewer master plan would provide additional analysis once completed. Councilmember Munford noted that his independent research indicated portions of the system were approaching capacity limitations, although definitive data was not yet available.

Public Works Director Keith Despain explained that the identified sewer pinch point near 1500 East originated from historic sewer configurations associated with a former wastewater treatment plant. He stated that several major trunk lines now converge in the area before redirecting flows to the current treatment facility. Mr. Despain further stated that he had recently inspected the lines and observed that flows were currently below half capacity. He acknowledged the need for updated analysis, noting that the existing sewer master plan dated to 2009 and no longer reflected current growth conditions. He stated that the updated plan would evaluate existing capacities, future infrastructure needs, and potential system upgrades.

In response to questions regarding the anticipated timeline, Mr. Despain stated that the Sewer Management Board planned to pursue a planning grant through the Community Impact Board and estimated the master plan would require approximately one year to complete. He further stated that additional development north of Main Street would contribute to the flow to the affected area, though staff could not yet quantify impacts without finalized engineering data. Mr. Despain stated that, based on current observations, he believed the system still maintained a reasonable amount of available capacity.

Michael Spackman, residing at 292 North 300 West, stated that he generally supported development of the property and recognized the community need for additional housing. However, he expressed concerns regarding the broader development potential permitted under R-4 zoning, including the possibility of larger multi-story apartment buildings that may not be compatible with the surrounding neighborhood. Mr. Spackman noted that future development could differ from the conceptual plans currently being presented and questioned whether the proposed design elements, including townhomes, buffering, and parking layouts, could be guaranteed following rezoning.

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Mr. Spackman also expressed concerns regarding roadway access, traffic circulation, and long-term neighborhood planning. He stated that utilizing additional roadway connections could help reduce congestion rather than relying primarily on a single access point and noted that several nearby streets currently terminate near the property. He further expressed concerns regarding existing traffic conditions on 500 West and encouraged the Council to carefully consider long-term traffic safety and neighborhood impacts prior to approving the rezone request. Mr. Spackman additionally questioned whether the City could easily reverse the R-4 zoning designation in the future if development plans changed.

Councilmember Ted Munford responded that the current zoning would still allow development of the property but acknowledged that higher-density zoning creates greater incentives for larger developments and additional housing units. He further noted that roadway access decisions involving state highways would ultimately fall under the jurisdiction of the Utah Department of Transportation.

Harold Garcia, residing at 320 West 300 North, expressed concerns regarding the capacity and width of existing neighborhood roadways near the proposed development. He stated that the area currently functions as a narrow residential street with on-street parking and expressed concern that increased residential density would substantially increase neighborhood traffic, particularly if residents utilized local streets rather than accessing the development directly from 500 West.

Mr. Garcia further stated that the surrounding area currently serves as a quiet residential neighborhood frequently used by children, pedestrians, and residents with pets, and he expressed concern that increased traffic volumes would negatively impact neighborhood safety and character. He questioned whether existing roadways and infrastructure could adequately accommodate the proposed development and additional utility demand.

Mr. Garcia also expressed concerns regarding the potential scale and height of future development permitted under R-4 zoning, including the possibility of multi-story apartment structures overlooking adjacent homes. He questioned how the City could reverse the zoning designation in the future if development impacts became problematic. Additionally, he encouraged consideration of alternative traffic circulation options, including directing primary ingress and egress toward the highway corridor rather than through surrounding residential streets.

Russell Pearson, residing at 322 West 250 North, expressed agreement with previously stated concerns regarding traffic, infrastructure, and neighborhood impacts associated with the proposed rezone request. Referencing comments made by City Attorney Michael Harrington regarding the Council's legislative responsibility, Mr. Pearson stated that while the General Plan could support either zoning classification, he believed the existing R-3 zoning more appropriately reflected the established character of the surrounding neighborhood, which includes single-family homes, duplexes, triplexes, and fourplexes.

Mr. Pearson further expressed concern regarding the long-term impacts of additional apartment-style density and stated that future infrastructure improvements and utility upgrades associated with higher-density development could ultimately affect residents through increased utility costs or infrastructure investments. He stated that he believed development under the existing R-3 zoning designation would better serve the long-term interests of the neighborhood and community.

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Shane Mayberry, owner of commercial property adjacent to the dialysis center near the proposed development area, expressed opposition to the requested R-4 zoning designation. Mr. Mayberry stated that he believed higher-density housing pressures were being driven by broader statewide growth initiatives that did not align with the character of Vernal. He urged the Council to carefully consider the long-term impacts of rapid residential growth and encouraged preservation of the community's existing character.

Mr. Mayberry also questioned whether prior housing studies identifying affordable housing needs accurately reflected the desires of residents. He expressed concerns regarding investor-owned apartment developments and stated that rental income generated by non-local ownership often leaves the community. Mr. Mayberry further discussed housing affordability, population growth, and migration impacts, and encouraged the Council to reconsider additional high-density residential zoning and reevaluate the direction of the General Plan considering public concerns.

Ryan Goodrich, District Manager for Ashley Valley Water and Sewer Improvement District, addressed the Council regarding sewer infrastructure concerns associated with the proposed development. Mr. Goodrich acknowledged the ongoing coordination between Vernal City and the surrounding utility districts regarding sewer system capacity and stated that the concerns previously raised by staff and utility representatives were valid.

Mr. Goodrich emphasized that, although the current discussion involved zoning rather than finalized development plans, the Council should consider the maximum development intensity permitted under the proposed R-4 zoning designation rather than relying solely on the conceptual plans presented by the applicant. He further stated that any future sewer system failures or backups would directly impact district residents and urged the Council to carefully evaluate whether existing and planned infrastructure could adequately support the potential density allowed under the proposed zoning designation.

Gordon Seitz, residing at 289 North 1250 West, addressed the Council regarding traffic and infrastructure concerns associated with the proposed development. Mr. Seitz questioned who would be responsible for funding roadway improvements required by the Utah Department of Transportation if the project was approved. City Manager Quinn Bennion responded that any required roadway improvements would be funded by the developer and clarified that impact fees are assessed on a per-connection basis.

Mr. Seitz further expressed concerns regarding increasing traffic congestion in the area, stating that existing traffic associated with Maeser residents, the hospital, and surrounding developments already create significant congestion along nearby roadways. He expressed concern that additional development traffic would impact surrounding residential neighborhoods as drivers seek alternate routes through local streets and encouraged the Council to consider the cumulative impacts of continued higher-density growth within the community.

Willis LeFevre stated that he had spoken with several members of the public and City representatives regarding the issue. Mr. LeFevre acknowledged the broader challenges associated with affordable housing both within Utah and nationally and stated that housing concerns can be viewed and addressed from multiple perspectives.

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Mr. LeFevre referenced earlier comments made regarding state involvement in housing and growth-related policies and expressed concern about the possibility of local governments feeling pressured by decisions or policies originating at higher levels of government. He specifically referenced events that occurred in Box Elder County and stated his opinion that local elected officials there had faced significant pressure regarding growth-related decisions.

Mr. LeFevre stated that he trusted the Vernal City Council to use its best judgment in evaluating the proposed rezone request and encouraged the Council to prioritize the interests and voices of local residents during the decision-making process. He further stated that he believed elected officials have a responsibility to maintain a government responsive to the people they represent and encouraged the Council to carefully consider community concerns as part of its deliberations.

Karilynne Pearson, whose property borders the subject property, expressed concerns regarding the proposal to extend and open the dead-end portion of 300 West. Ms. Pearson stated that the existing roadway was not wide enough to safely accommodate two-way traffic and expressed concern that widening the roadway would be difficult due to surrounding property constraints.

Ms. Pearson further stated that she did not believe the proposed R-4 zoning designation would be compatible with the existing single-family residential character of the neighborhood. She expressed the opinion that the property would be more appropriately developed as a single-family residential subdivision that could provide affordable homeownership opportunities for local families. Ms. Pearson also expressed concerns regarding the potential for larger multi-family developments under the proposed zoning designation and referenced other higher-density developments within Vernal that she felt were not compatible with surrounding neighborhoods. She thanked the Council for its consideration of the matter.

Pam Pease, residing at 295 North 500 West, stated that her property is located directly across the street from the subject property and expressed concerns regarding existing traffic conditions along the highway corridor and surrounding roadways. She stated that traffic associated with the nearby hospital, including ambulance traffic and vehicles traveling to and from Maeser, already creates congestion and makes it difficult for residents to safely enter and exit the roadway at various times of the day.

Ms. Pease further expressed concerns regarding the potential need for future roadway widening or turning lane improvements if the proposed development proceeds. She noted that portions of nearby properties had previously been impacted during prior roadway widening projects and stated that she did not support additional roadway expansion or property impacts associated with increased traffic generated by the proposed development. Ms. Pease stated that she hoped the area would remain as it currently exists.

Danny Harold stated that, although he was not a Vernal City resident, he wished to express concerns related to infrastructure and long-term growth planning. Mr. Harold stated that considerable discussion had occurred regarding sewer infrastructure and traffic impacts associated with the proposed development but noted that water usage and water availability concerns had not yet been substantially discussed.

Mr. Harold referenced current water restrictions within Vernal City and surrounding areas and questioned how additional residential density and approximately 100 additional housing units could impact future water demand and water infrastructure capacity. Mr. Harold stated that he was not opposed to growth but

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expressed the opinion that the City and surrounding communities should carefully evaluate future growth and zoning changes in conjunction with broader infrastructure planning efforts, particularly regarding long-term water and sewer capacity needs.

Jeff Snow, residing at 282 West 200 South in Vernal, stated that this was his first time attending a City Council meeting due to his work schedule and expressed concerns regarding the importance of elected officials listening to and representing the voices of local residents during governmental decision-making processes.

Mr. Snow stated that he supports private property rights and believes property owners should generally be allowed flexibility in the use of their property. However, he also stated that the concerns expressed by neighboring residents during the public hearing should be carefully considered by the Council. Mr. Snow expressed the opinion that the existing zoning within the area appeared sufficient and stated that, based on the information presented during the hearing, he did not believe the zoning designation needed to be changed. He encouraged the Council to carefully consider public input and community concerns during its deliberations.

Dan Dilsaver stated that he believed many individuals present at the meeting opposed the rezoning proposals. Mr. Dilsaver acknowledged the difficulty of the Council's responsibility but stated that elected and appointed officials have a duty to represent the residents they serve.

Mr. Dilsaver referenced prior discussion at the Planning Commission level indicating that similar requests had previously been considered and denied. He encouraged the Council to carefully consider the concerns and opinions expressed by the public before making a final decision. Mr. Dilsaver further stated that residents want to feel heard and represented throughout the decision-making process and expressed appreciation for the Council's willingness to engage with the public during the meeting.

Gerald Abplanalp, residing at 1288 West 500 North, expressed concerns regarding existing traffic congestion along Highway 121 and stated that there are times during the day when traffic conditions make it difficult for residents to safely enter or exit their driveways. He explained that turning movements onto the highway, particularly left turns toward town, are already challenging due to existing traffic volumes.

Mr. Abplanalp further stated that he believed the proposed development would add additional traffic onto Highway 121 and questioned whether the existing roadway infrastructure could adequately accommodate future widening or additional turning lanes within the area. He stated that traffic impacts represented one of his primary concerns regarding the proposed rezoning request.

Seeing no further comment, Mayor Corey Foley closed the public hearing for Ordinance No. 2026-12, the Civil Solutions Group rezone request for property located at 350 North 500 West. Mayor Foley then returned the matter to the City Council for discussion and consideration.

Councilmember Ted Munford thanked members of the public for attending and participating in the hearing and stated that public input helps the Council make more informed decisions through additional perspectives and discussion. He stated that he takes seriously both the responsibility to represent residents and the obligation to protect private property rights within applicable regulations.

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Councilmember Munford further stated that, based on the legal guidance provided earlier in the meeting, he believed the Council was obligated to base its decision on established facts. He expressed concern that sufficient information regarding sewer infrastructure capacity and conditions had not yet been established, particularly given that the updated sewer master plan remained incomplete and was anticipated to require approximately one year to finalize. Based on the information currently available, Councilmember Munford stated that he did not believe the Council could appropriately move forward with approval of the requested rezone at that time.

Councilmember Robin O'Driscoll asked Assistant City Manager Braeden Christofferson whether the approximate difference between R-3 and R-4 zoning on the subject property would result in an increase of approximately 88 additional housing units.

Assistant City Manager Braeden Christofferson responded that the total number of potential units would depend on the specific development option pursued by the applicant. Mr. Christofferson explained that the applicant could pursue a Planned Residential Unit Development, which allows densities of up to 16 units per acre while also permitting flexibility related to parking, landscaping, and site design considerations. He stated that, under standard R-4 zoning requirements, allowable density would instead be determined by lot square footage requirements outlined within the City Code.

Mr. Christofferson further explained that, regardless of the development approach pursued, projects would still be subject to Vernal City's parking, landscaping, and development standards. He noted that the City's parking requirements are comparatively stringent and currently require approximately two and one-half parking stalls per residential unit and one and one-half parking stalls per studio apartment unit. Mr. Christofferson stated that any future development would still be required to comply with applicable City code requirements and parking standards regardless of the final unit count or development configuration.

Councilmember Ed Long stated that the previous discussion regarding density calculations and development standards was helpful and observed that the conceptual plans appeared to reflect a combination of R-3 and R-4 style residential development. Councilmember Long then asked whether it would be feasible to consider rezoning only a portion of the property to R-4, potentially concentrating higher-density development closer to the highway corridor while transitioning to lower-density residential uses nearer the existing neighborhood as a buffer between the development and surrounding residential properties.

Assistant City Manager Braeden Christofferson responded that such an approach could be considered; however, the applicant would need to voluntarily modify or withdraw the current request and resubmit a revised proposal reflecting staggered or transition zoning between differing density classifications. Mr. Christofferson explained that transition zoning is sometimes utilized to create graduated density changes between higher-density and lower-density residential areas.

Councilmember Ed Long asked applicant Jacob Black whether a mixed-zoning approach had previously been considered for the property. Mr. Black responded that the concept had been discussed, noting that the current conceptual plans already place townhomes closer to neighboring residential properties and apartment buildings nearer the highway corridor. He stated that they initially pursued full R-4 zoning

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because the associated development standards provided flexibility necessary for the overall project design. However, Mr. Black stated he and his business partners would be willing to consider a mixed-zoning approach if necessary, though additional evaluation would be required to determine how retaining portions of the property under R-3 zoning could affect site layout and project feasibility.

Mr. Black also addressed concerns regarding roadway improvements and sewer infrastructure capacity. He clarified that any roadway widening, turning lanes, or right-of-way dedications required by the Utah Department of Transportation or Vernal City would be the responsibility of the developer. Regarding sewer concerns, Mr. Black stated that the identified capacity issues represented a broader infrastructure matter rather than an issue unique to the subject property. He emphasized that any future development would still be subject to engineering review and utility capacity analysis during the formal development process and stated that project approvals would not proceed without verification of adequate sewer capacity. He further noted that the developer could ultimately be required to fund infrastructure upgrades if necessary for development approval.

Mr. Black additionally stated that projects of this scale require substantial time to complete zoning, engineering, and site plan review processes. He noted that updated sewer master plan information could potentially be available by the time detailed development plans were submitted and reiterated that City staff would retain authority to withhold approvals if adequate sewer capacity could not be demonstrated.

Councilmember Ted Munford stated that his concern was not whether the proposed development itself would directly cause sewer system failures, but rather that the Council currently lacked definitive information regarding overall sewer system capacity and limitations. He stated that, without finalized data from the updated sewer master plan, he did not believe the Council could responsibly approve the requested zoning change at that time. Councilmember Munford further stated that the applicant could return in the future to request reconsideration once additional infrastructure information became available.

Councilmember Nick Porter stated that he had some concerns regarding the degree of hesitation being expressed related to sewer capacity issues. Councilmember Porter stated that, in his opinion, the proposed development and other future projects under discussion would likely represent only a relatively small percentage increase in overall sewer system demand. He further stated that, if such a relatively minor increase in capacity would critically impact the system, then the broader infrastructure issues already existed independently of the proposed project.

Councilmember Ed Long stated that concerns regarding sewer capacity, traffic, water infrastructure, and roadway access are typically evaluated during the formal development review process through engineering studies, utility reviews, plat approvals, and coordination with agencies such as the Utah Department of Transportation. He stated that the Council's primary responsibility during the rezoning process is to determine whether the proposed zoning designation is consistent with the surrounding area and the goals of the Vernal City General Plan. Councilmember Long further expressed concern about making technical infrastructure determinations at the rezoning stage without finalized engineering studies or project-specific data.

Councilmember Ted Munford responded that, while the applicant's conceptual plans reflected the current intent for the property, the Council must consider the full range of development permitted under the

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proposed R-4 zoning designation rather than relying solely on the current concepts. He stated that development plans can change over time due to ownership changes or revised proposals and emphasized that the Council must evaluate the maximum potential impacts allowed under the zoning classification itself. Councilmember Munford further explained that the sewer issue differed from other infrastructure considerations because all involved utility entities had already acknowledged the existence of a known system concern, even though the full extent of the issue had not yet been quantified.

Councilmember Randel Mills asked City Attorney Michael Harrington whether there was any legal reason preventing the Council from making a decision on the rezoning request at that time. Mr. Harrington responded that no legal prohibition existed and stated that the matter depended on whether the Council believed it had sufficient factual information to make a determination. He further stated that, based on the information presented, the matter had reached the level of being reasonably debatable and therefore remained within the Council's discretion to either proceed with a decision or table the matter for additional information.

Councilmember Ed Long stated that he did not feel pressured by state or local officials regarding the proposed rezone request and noted that he had received substantial communication from community members, including emails and phone calls. He stated that he had carefully reviewed public comments, Planning Commission materials, and surrounding property conditions in an effort to fully understand the concerns raised by residents.

Councilmember Long acknowledged concerns expressed regarding water, sewer capacity, traffic, and neighborhood impacts, but stated that the Council must also consider broader community needs, including the continuing demand for affordable housing within Vernal City. He noted that affordable housing has remained a significant community issue for many years and expressed concern that failure to address housing needs could create larger long-term challenges. Councilmember Long further acknowledged the difficulty of identifying appropriate locations for higher-density housing developments, noting that similar concerns would likely arise regardless of where such projects are proposed.

Councilmember Ted Munford made a motion to deny the proposed rezone request, stating that the applicant could resubmit the request at a future date once additional infrastructure and capacity information became available for review and consideration by the Council.

Councilmember Long stated that he trusted that many of the technical issues raised during the hearing would continue to be addressed through the future development review process. He also expressed hesitation regarding delaying or tabling the project, stating that extended delays could create significant challenges for the development and potentially result in the loss of an opportunity he believed could be beneficial for the community.

Councilmember Robin O'Driscoll seconded the motion made by Councilmember Ted Munford. City Manager Quinn Bennion clarified for the Council that an "aye" vote on the motion would constitute a vote in favor of denying the proposed rezone request. The motion to deny the rezone request passed with the following roll call vote:

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Councilmember Munford..... aye;
Councilmember Mills aye;
Councilmember O’Driscoll..... aye;
Councilmember Long..... nay;
Councilmember Porter..... nay;

RECESS: *Councilmember Randel Mills made a motion to declare a five minute recess. Councilmember Nick Porter seconded the motion. The motion passed with all in favor.*

CONSIDER THE APPROVAL OF THE EVERBUILT REZONE (JACOB SPEIRS) FOR PROPERTY LOCATED AT 1315 WEST 500 NORTH, 1189 WEST 500 NORTH, AND 381 NORTH 1250 WEST, PARCEL #’S 050060012, 050060013, 050050029 – ORDINANCE 2026-13 - BRAEDEN CHRISTOFFERSON

Mayor Corey Foley resumed the meeting and introduced consideration of Ordinance No. 2026-13, the Everbuilt rezone request for properties located at 315 West 500 North, 1189 West 500 North, and 381 North 1250 West. Prior to discussion, Mayor Foley publicly disclosed for the record that he had a conflict of interest related to the request due to a direct family member owning neighboring property and a prior professional relationship with the developer. Mayor Foley stated that he would not participate in discussion of the matter and would refrain from voting except in the event of a tie.

Mayor Corey Foley invited applicant Jacob Speirs to address the Council regarding the proposed Everbuilt rezone request. Mr. Speirs thanked the Council for the discussion held during the meeting and requested that his business partner, Quinton Daniel, provide the initial presentation on behalf of the applicants. Mayor Foley granted the request and turned the time over to the applicants.

Quinton Daniel addressed the Council regarding the proposed rezone request and acknowledged the significant public interest and emotions surrounding the hearing. Mr. Daniel stated that affordable housing remains an important issue within Vernal City and emphasized that the Council should consider the needs of residents throughout the community, including those not present at the meeting. He acknowledged that the proposed development would change the surrounding neighborhood and stated that many of the concerns raised by neighboring residents were understandable. Mr. Daniel further stated that neither he nor Jacob Speirs intended to create hardship for neighboring property owners and emphasized that they are local residents who remain invested in the community regardless of the outcome of the request.

Mr. Daniel referenced the prior Planning Commission review and noted that the recommendation forwarded to the City Council was not unanimous. He discussed concerns regarding potential conflicts of interest among governmental boards and commissions and stated his belief that individuals with strong personal connections to either applicants or neighboring residents should consider abstaining from related decisions. Mr. Daniel stated that the divided Planning Commission recommendation reflected the complexity of the issue.

Mr. Daniel further stated that, while the public hearing reflected significant community interest, the attendees represented only a portion of Vernal City residents. He encouraged the Council to consider the interests of the broader community and stated that the proposed rezone represented an opportunity to address housing affordability concerns within the city, despite the inconvenience and discomfort it may

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create for some neighboring residents.

Mr. Daniel summarized concerns raised throughout the Planning Commission and public hearing processes, including traffic impacts, roadway access, neighborhood character, infrastructure capacity, property values, and increased residential density. He acknowledged that the project would increase traffic within surrounding neighborhoods and along nearby roadways, including 1250 West and the Maeser Highway, and further acknowledged concerns that the development could alter the existing character of the area.

Mr. Daniel explained that the proposed development was intended to consist of two-story townhomes rather than larger apartment-style projects and explained that the requested R-3 zoning would support a residential product like other projects previously completed by the applicants within Vernal City. He further stated that utility capacity, roadway improvements, and infrastructure concerns would be evaluated through future engineering and development review processes rather than during the rezoning stage. Mr. Daniel also stated that the sewer capacity concerns discussed during the hearing represented a broader community infrastructure issue rather than a problem unique to the subject property.

Mr. Daniel outlined the primary reasons for requesting the rezone, stating that the project would provide additional attainable homeownership opportunities within Vernal City and discussed the increasing cost of single-family housing relative to local income levels. Mr. Daniel expressed concern that many working residents could no longer reasonably afford newly constructed single-family homes and stated that additional townhome development would help address housing affordability and homeownership opportunities within the community.

Mr. Daniel further explained that the proposed R-3 zoning designation was compatible with the surrounding area based on the property's proximity to schools, parks, churches, playgrounds, and existing residential uses. He referenced the Municipal Code definition of the R-3 district and stated that the zone was intended to allow a mixture of single-family and multi-family residential uses. Mr. Daniel also noted that other areas within Vernal City contain direct adjacency between lower-density residential zoning and R-3 or R-4 districts.

Mr. Daniel discussed private property rights and stated that property owners should generally retain flexibility regarding the use of their property within applicable zoning regulations. He stated that public roads, parks, and schools are intended to serve the broader community and argued that concerns regarding increased neighborhood activity should be balanced against the rights of property owners to pursue reasonable development opportunities. Mr. Daniel concluded by reiterating that the proposed project would increase attainable homeownership opportunities and fit within the character and intent of the R-3 zoning district, and support private property rights.

Councilmember Ted Munford thanked Quinton Daniel for his presentation and clarified that the Council's earlier discussion centered not solely on sewer flow capacity, but on the existence of a known sewer infrastructure issue within the affected area that still required additional analysis to determine the scope of necessary improvements.

Mr. Daniel responded that he understood the City had established processes to evaluate utility and

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infrastructure concerns during future stages of development review. He further stated that he did not believe rezoning requests had historically been denied solely due to unresolved sewer concerns and questioned whether sewer infrastructure issues had previously been treated as a determining factor during the rezoning stage.

Councilmember Munford reiterated that the Council's concern involved the acknowledged existence of a known sewer infrastructure issue and the need to fully understand the extent of the problem before proceeding further. Mr. Daniel responded that both parties generally agreed the concern existed, and opinions differed regarding the stage of the process at which the issue should be addressed.

Jacob Speirs addressed the Council regarding the proposed Everbuilt rezone request and presented additional information related to housing affordability, community planning, and the intended development concept. Mr. Speirs referenced a recently completed townhome project at Quail Run and stated that the proposed development would be similar in style and character.

Mr. Speirs discussed the increasing challenge of housing affordability within Vernal City and presented comparisons between median household income and median home prices over time. He stated that attainable townhome developments provide important homeownership opportunities for working residents and first-time homebuyers who may no longer be able to afford newly constructed single-family homes within the community. Mr. Speirs also referenced survey information collected through a Utah State University study identifying affordable housing as a significant concern among Vernal City residents.

Mr. Speirs further discussed the compatibility of the proposed R-3 zoning designation with surrounding land uses, including nearby parks, churches, schools, commercial areas, and existing higher-density residential zoning. He stated that the proposed townhome development aligned with the intended purpose of the R-3 zoning district as outlined in the Vernal City Municipal Code. He also addressed concerns regarding water availability, building height, and infrastructure capacity, stating that Vernal City possesses sufficient utility infrastructure to support townhome-style development and providing comparisons between the proposed building heights and nearby structures.

Lastly, Mr. Speirs addressed ongoing sewer infrastructure concerns and stated that he believed the issue represented a broader community infrastructure matter rather than a problem unique to the subject property. He expressed the opinion that utility capacity concerns would be appropriately evaluated through future engineering studies and development review processes and cautioned against creating additional barriers during the rezoning stage that could delay attainable housing projects. Mr. Speirs concluded by stating that he and Quinton Daniel are committed to constructing starter homes for local residents and requested Council support for the proposed rezone.

Councilmember Ted Munford stated that he believed the applicants constructed high-quality developments and expressed appreciation for their work within the community. He emphasized that the Council must evaluate rezoning requests based on the maximum development potential permitted under the proposed zoning designation rather than solely the conceptual plans currently presented by the applicants.

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Councilmember Munford further stated that property ownership and development plans can change over time and noted that approved zoning classifications remain with the property regardless of future ownership changes. While acknowledging the applicants' commitment to developing a quality project, he stated that the Council must also consider the possibility of future development scenarios allowed under the zoning designation. Councilmember Munford stated that he wished to hear additional public comment before offering further thoughts on the proposal.

Mayor Corey Foley thanked applicant Jacob Speirs for his presentation and stated that the Council may have additional questions later in the discussion. Mayor Foley then opened the public hearing regarding Ordinance No. 2026-13, the Everbuilt rezone request for properties located at 315 West 500 North, 1189 West 500 North, and 381 North 1250 West.

Allen Hacking expressed concerns regarding sewer infrastructure capacity and the potential impacts of increased residential density on the existing sewer system. Mr. Hacking stated that the proposal could allow approximately 128 higher-density residential units and emphasized that community growth should occur only where adequate infrastructure exists to support it.

Mr. Hacking noted that portions of the sewer infrastructure serving the area were originally installed approximately 90 years ago and stated that current sewer replacement projects do not yet extend to the subject property area. He expressed concern that wastewater from the proposed development would still travel through aging portions of the system before reaching newer infrastructure improvements.

Mr. Hacking further discussed known bottlenecks within downstream portions of the sewer system and expressed concern that additional density could increase the risk of future sewer backups or failures during peak usage periods. He urged the Council to deny the rezoning request until additional infrastructure improvements and capacity evaluations could be completed.

City Manager Quinn Bennion offered additional comments regarding the sewer concerns discussed during the public hearing. Mr. Bennion questioned assumptions regarding the direction of sewer connections for the proposed development and noted that a sewer line also exists along 500 North. He further stated that, if the downstream sewer bottlenecks and infrastructure limitations near 1500 East were as severe as described, it raised questions regarding why additional development projects continued to be permitted within the same service area by other utility entities, including Ashley Valley Water and Sewer Improvement District.

Hailee Todich referenced provisions within the Vernal City Municipal Code related to subdivision layouts conforming to the Vernal City General Plan and stated that, while the General Plan serves as a guiding document, it reflects the City's long-term planning vision and should be given significant consideration during rezoning decisions.

Ms. Todich stated that the General Plan identifies the area for medium-density residential development and referenced language describing medium-density housing as generally consisting of two to four units per acre, including smaller-lot single-family homes and duplexes. She argued that the proposed R-3 zoning designation would allow substantially greater density than originally contemplated for the area, potentially permitting up to 126 townhome units rather than approximately 36 single-family homes under the current

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zoning designation.

Ms. Todich further stated that similar rezoning requests for the property had previously been considered and denied by both the Planning Commission and City Council. She also referenced prior statements made by elected officials indicating that developers generally understand existing zoning limitations at the time property is purchased and argued that such limitations should not later become the basis for dissatisfaction with the zoning designation.

George Lambroff, residing at 1211 West 250 North in Vernal, expressed appreciation for the Council's service and acknowledged the difficulty of the decision before them. Mr. Lambroff stated that much of the discussion surrounding the proposal had focused on growth and expansion and encouraged the Council to carefully consider the long-term impacts of continued growth and increasing density within Vernal City.

Mr. Lambroff stated that he believed the community should prioritize sustainability and preservation of Vernal's existing character rather than continual expansion. He expressed concern that additional higher-density development could negatively impact the atmosphere, safety, and quality of life currently enjoyed within the community and surrounding neighborhoods.

Mr. Lambroff also expressed concerns regarding increased traffic, population growth, and neighborhood impacts associated with the proposed development. He stated that the proposed zoning could substantially increase the number of residents and vehicles within the area and questioned how that growth would affect roads, neighborhoods, and community resources. Mr. Lambroff further stated that he valued Vernal's small-town environment and family-oriented neighborhoods and expressed concern that additional higher-density development could alter the existing character of the area.

Jason Blankenagel, residing at 1288 West 200 North, stated that his property overlooks the proposed development area and noted that several of his children currently walk to school and cross 1250 West along their route. Mr. Blankenagel expressed concerns regarding increased traffic and pedestrian safety associated with additional residential density in the area.

Mr. Blankenagel stated that, while property rights are important, existing zoning designations also create expectations and protections for surrounding property owners and neighborhoods. He further discussed conflicts of interest in relation to public officials and governmental decision-making.

Mr. Blankenagel also expressed support for the Planning Commission's recommendation opposing the proposed rezoning request and encouraged the Council to consider the recommendation forwarded by the Commission. He further expressed concern regarding statements suggesting that broader community housing needs should outweigh the concerns of neighboring residents and stated that existing neighborhood expectations and zoning patterns should be respected throughout the city. Mr. Blankenagel added that developers seeking rezoning should expect substantial public review and community opposition when proposed changes conflict with established neighborhood character and expectations.

Mike Lewis, residing at 334 North 1250 West, addressed the Council regarding concerns related to neighborhood character and potential impacts on surrounding property values. Mr. Lewis stated that,

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based on examples he had reviewed from other communities, higher-density developments in larger cities are often accompanied by additional commercial infrastructure and amenities that help support surrounding property values, but he did not believe similar conditions typically exist in smaller rural communities such as Vernal.

Mr. Lewis expressed concern that higher-density housing developments, including condominium or townhome-style projects, may appreciate differently than traditional single-family homes and could negatively impact surrounding residential property values over time. He further stated that the neighborhood has developed a strong sense of community and familiarity among residents and expressed concern that higher-density development could alter the character and atmosphere of the area.

Mr. Lewis also referenced earlier discussion regarding property rights and noted that the applicants purchased the property with knowledge of the existing R-1 zoning designation. He encouraged the Council to consider the perspectives of long-term neighborhood residents and asked Councilmembers to evaluate the request from the standpoint of homeowners living near a proposed higher-density development.

Dan Dilsaver, residing at 201 North 1500 West, referenced average income and housing cost information and questioned how affordable housing and low-income housing were being defined within the context of the discussion. He also referenced several residential projects currently proposed or under construction within the community and stated that it would be helpful to understand how many additional housing units are already anticipated through those developments.

Mr. Dilsaver further expressed concerns regarding traffic circulation and emergency access along the Highway 121 corridor and surrounding roadways. He stated that limited access points and connecting streets already create congestion and circulation challenges during accidents or traffic incidents and expressed concern that additional higher-density development could further increase traffic and emergency access issues within the area.

Mr. Dilsaver also questioned whether certain affordable or higher-density housing developments receive federal funding or financial incentives that may influence development proposals. He concluded by thanking the Council for its consideration and acknowledging the difficulty of the decision before them.

Chris Cummings, residing at 474 North 1500 West, stated that he did not support changing the zoning designation from R-1 to R-3. Mr. Cummings referenced traffic information he had obtained from the Utah Department of Transportation indicating that State Route 121 currently experiences an average daily traffic volume of approximately 7,500 vehicles per day. He further stated that he agreed with many of the concerns previously expressed by neighboring residents regarding the proposal and expressed the opinion that the existing neighborhood currently functions well in its present form. He stated that he did not believe additional higher-density residential development would be beneficial for the area and expressed concern that it would add unnecessary complexity and impacts to the neighborhood.

Rick Case, residing at 317 North 1250 West, stated that he values the existing character of his neighborhood and described the area as quiet, peaceful, and made up of residents who have worked hard for their homes and property. He stated that many residents within the neighborhood share similar values and take pride in maintaining the area. Prior to purchasing his home, he researched the surrounding zoning

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designations and understood the adjacent property to be zoned R-1. He further stated that he later purchased two neighboring lots in an effort to preserve privacy and maintain the existing character of the area.

Mr. Case encouraged the Council to base its decision on the comments and concerns expressed by community members and residents living near the proposed development area. He stated that elected officials were entrusted by the community to represent residents' interests and urged the Council not to base its decision on the interests of individuals or entities who may financially benefit from the proposed rezoning. Mr. Case concluded by stating that he did not support the proposed zoning change and did not believe the rezoning would improve Vernal City.

Scott Gross expressed concerns regarding infrastructure funding, parking capacity, and long-term housing demand within the community. Mr. Gross stated that infrastructure improvements ultimately require funding through local government resources and taxpayers and questioned how future upgrades associated with additional development would be financed. He also expressed concerns that the conceptual plans did not appear to adequately address parking demands associated with recreational vehicles commonly owned by local residents.

Mr. Gross further discussed the cyclical nature of the local oil field economy and questioned whether current housing demand projections adequately accounted for fluctuations in employment and economic conditions. He also referenced ongoing sewer backup concerns experienced in other areas of the community and expressed concern that additional residential density could further strain aging sewer infrastructure systems. Mr. Gross concluded by noting that both housing markets and local economic conditions historically fluctuate over time.

Tammy Brusto, residing at 348 North 1250 West, referenced a petition submitted in opposition to Ordinance No. 2026-13 and stated that approximately 166 signatures had been collected by herself and neighboring resident Karen Hatch opposing the proposed rezoning request. Ms. Brusto stated that some residents were unaware of the proposal due to mailed notification requirements being limited to nearby property owners.

Ms. Brusto summarized concerns expressed by residents who signed the petition, including a preference for single-family residential development to maintain consistency with the existing neighborhood character. Additional concerns included increased traffic volumes, particularly along 1250 West if the roadway were eventually opened between Main Street and 500 North, pedestrian safety for children traveling to nearby schools, and potential impacts on existing water and sewer infrastructure capacity. She also referenced concerns regarding potential declines in surrounding property values associated with higher-density development.

Ms. Brusto concluded by stating that substantial neighborhood opposition existed regarding the proposed rezoning request and encouraged the Council to consider both the resident petition and the prior negative recommendation forwarded by the Planning Commission.

Robert Wilkins, residing at 401 North 1500 West, stated that he has lived in the area for approximately 31 years and expressed concerns regarding water and sewer infrastructure capacity and traffic congestion

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associated with the proposed development. Mr. Wilkins also referenced a recent traffic accident near 1500 West and the Maeser Highway that caused significant traffic backups affecting nearby roads and schools.

Mr. Wilkins stated that he generally supported the need for additional multi-family housing within the community but questioned whether the proposed location was appropriate for that type of development. He suggested that areas already containing higher-density housing may be more suitable for similar future development.

Mr. Wilkins also referenced his prior experience in the oil and gas industry and stated that infrastructure upgrades associated with development projects are typically addressed as part of the project itself rather than relying solely on existing systems. He expressed the opinion that any infrastructure improvements necessary to support the proposed development should be incorporated into the development process. Mr. Wilkins concluded by stating that he believed the property should remain zoned R-1.

Jeff Snow, residing at 282 West 200 South expressed appreciation for efforts to create additional housing opportunities within the community and stated that he believed higher-density multi-family housing projects often serve more transient residents rather than individuals and families intending to establish long-term roots within Vernal City. He stated that he believed the property should remain zoned R-1 in order to respect the expectations of residents who purchased homes within the neighborhood based on the existing zoning designation. He expressed concern that changing the zoning classification would significantly alter the character of the established neighborhood and surrounding community.

Mr. Snow also discussed the increasing difficulty younger residents face in purchasing homes within the area and referenced rising housing costs affecting his own family. He encouraged developers to focus on constructing additional single-family homes within R-1 zoning districts that would allow families and long-term residents to establish permanent roots within the community.

Jill Seitz, residing at 289 North 1250 West, stated that she was not opposed to growth within the community and acknowledged the need for additional housing in Vernal City. Ms. Seitz, who stated that she has a background in design and construction, expressed the opinion that higher-density housing can be appropriate in certain locations but did not believe the subject property represented an appropriate location for the proposed development. She further stated that many residents living in existing starter homes and apartments within the area would prefer opportunities to transition into larger single-family homes nearby and expressed concern that the proposed rezoning would significantly alter the character and quality of life within the neighborhood.

Ms. Seitz also expressed concerns regarding pedestrian safety and traffic impacts near nearby schools and recreational facilities. She stated that she regularly observed significant pedestrian activity involving children near Ashley Elementary School, ballfields, and soccer fields and submitted photographs illustrating traffic and pedestrian conditions within the area. Ms. Seitz further stated that she conducted informal traffic observations during morning school hours near the intersection of 500 North and 1150 West and expressed concern that additional residential density could increase traffic congestion and safety risks for children and pedestrians traveling within the area.

Mitch Phillips, residing at 1215 West 250 North, expressed appreciation for the public participation and

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discussion that occurred during the meeting and stated that neighboring residents should be considered representative voices within the community. Mr. Phillips stated that he has lived in the neighborhood for approximately 66 years and has witnessed significant growth and development within the area over time.

Mr. Phillips expressed concerns regarding drainage, stormwater management, and wastewater evacuation associated with existing flood irrigation practices and the agricultural characteristics of surrounding properties. He stated that such infrastructure and water management issues should be carefully considered when evaluating additional development within the area.

Mr. Phillips also referenced the prior recommendation made by the Planning Commission and encouraged the City Council to consider that recommendation. He concluded by stating that he supported retaining the existing R-1 zoning designation for the property.

T.R. Houghton, residing at 184 North 1250 West, addressed the Council regarding changes that have occurred within the surrounding roadway network over time. Mr. Houghton stated that 1250 West previously terminated near 150 North and expressed concern that approval of the proposed development and additional roadway connections could substantially increase traffic volumes along 1250 West as vehicles travel between Main Street and 500 North.

Mr. Houghton also expressed concerns regarding roadway conditions, drainage, and pedestrian safety within the area. He referenced existing roadway dips and irrigation runoff along portions of 1250 West and stated that increased traffic speeds and traffic volumes could create additional safety hazards for residents and children traveling through the neighborhood.

Mr. Houghton further stated that, while he supports the need for affordable housing within the community, future development decisions should also consider what is reasonable and appropriate for the surrounding neighborhood and existing infrastructure. He encouraged the Council to carefully weigh those considerations during the decision-making process.

Larry Anderson, residing at 1264 West 250 North, stated that, while he understood concerns regarding housing affordability for teachers and working residents, he believed smaller single-family homes would provide a more appropriate attainable housing solution for the neighborhood than higher-density development.

Mr. Anderson also expressed concerns regarding traffic and pedestrian safety near Ashley Elementary School. Referring to traffic observations discussed during the hearing, he stated that he had not observed similar high-density housing developments located near elementary schools elsewhere in the community. Mr. Anderson expressed concern that additional residential density could significantly increase neighborhood traffic and create additional safety concerns for children traveling to nearby schools. He stated that smaller single-family homes would better fit the area while still providing housing opportunities for future residents.

Gordon Seitz, residing at 289 North 1250 West, expressed concerns regarding the long-term impacts of higher-density housing developments within the community. Mr. Seitz stated that, in his opinion, many condominium, townhome, and subsidized housing developments initially intended as affordable housing

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eventually become investor-owned rental properties rather than owner-occupied homes, and he expressed concern that the proposed development could produce similar outcomes over time.

Mr. Seitz also noted that the applicants purchased the property with knowledge of the existing R-1 zoning designation and stated that the current zoning status should remain an important consideration in the Council's decision. He further stated that the City may need to consider broader long-term planning solutions, including annexation and expansion into other areas, to address future housing demands.

Mr. Seitz additionally referenced prior development experiences within the community and expressed concern that some developers will complete projects and later leave the area without remaining involved in long-term community impacts. He stated that additional single-family housing opportunities still exist within other areas of Vernal City and encouraged the Council to consider alternatives to higher-density zoning within the neighborhood. Mr. Seitz concluded by urging the Council to carefully consider all concerns raised during the hearing.

Stephen Lytle, residing at 1392 West 250 South, stated that while many residents value Vernal's small-town character, the community must continue to grow in order to remain economically viable. Mr. Lytle stated that additional housing is necessary to support future growth and argued that higher-density residential development should occur within Vernal City limits rather than contributing to continued low-density expansion into surrounding county and agricultural areas.

Mr. Lytle further stated that thoughtful planning and managed urban growth are important to preserving farmland and open space outside the city. He noted that detailed traffic and utility studies are typically completed during later stages of the development process rather than during the rezoning stage and argued that future development could help support additional infrastructure investment and improvements within the area.

Mr. Lytle also addressed concerns regarding neighborhood impacts, property values, and changing zoning expectations. He stated that the applicants purchased the property with the legal right to seek rezoning and argued that neighboring residents could have pursued purchase of the property themselves if preserving the existing zoning designation was a priority. Mr. Lytle encouraged the Council to base its decision on the long-term interests of the broader community rather than solely on neighborhood opposition or political pressure.

Riley Todich, residing at 1284 West 250 North, referenced prior rezoning efforts involving the same property and stated that previous developers had pursued similar requests through multiple public hearings over several years without approval. Mr. Todich expressed concern that approving the current request would establish a different precedent than prior City decisions involving the property.

Mr. Todich also stated that he believed the primary motivation for the proposed rezoning was increased financial return associated with higher-density development rather than community need. He further stated that limited areas remain within Vernal City designated for R-1 single-family residential development and argued that the subject property represents one of the few remaining opportunities for additional single-family housing within the city.

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Michael Robinson, residing at 288 North 1500 West, referenced prior sewer backup issues experienced within the neighborhood while previously living near the subject property and expressed concern regarding whether existing sewer infrastructure problems had been fully resolved. Mr. Robinson stated that he opposed changing the zoning designation from R-1 and expressed concern regarding what he perceived as bias during prior Planning Commission discussions related to the proposal.

Mr. Robinson further stated that the surrounding area already contains a substantial amount of higher-density housing and questioned whether additional concentration of multi-family or townhome developments within the neighborhood was appropriate. He also stated that support for higher-density housing projects often changes when such developments are proposed near existing neighborhoods and homes. Mr. Robinson concluded by expressing concern regarding the cumulative density of existing developments within the area and reiterated his opposition to the proposed rezoning request.

Cindy Dilsaver, residing at 201 North 1500 West, noted that many of the individuals speaking during the public hearing were homeowners who had invested in the community and taken pride in maintaining their properties and neighborhoods. Ms. Dilsaver stated that residents who have invested in Vernal City hope the City will likewise support and protect established neighborhoods and property owners. She encouraged the Council to carefully consider the concerns and opinions expressed by neighborhood residents during the public hearing and requested that the Council deny the proposed zoning change.

Karen Hatch, residing at 1245 West 150 North, referenced the prior negative recommendation issued by the Planning Commission. Ms. Hatch stated that residents within the neighborhood had gathered approximately 150 signatures opposing the proposed rezoning and had also submitted emails, letters, and phone calls expressing opposition to the request. She stated that neighborhood residents had clearly communicated their position regarding the proposal and urged the Council to vote against changing the zoning designation from R-1 to R-3.

Ms. Hatch also referenced a previously completed Everbuilt development near 500 South and expressed concerns regarding the amount of open space and recreational areas available within higher-density townhome developments. She stated that, in her opinion, the development contained limited green space and inadequate areas for children to play and expressed concern that similar issues could occur within the proposed development.

Quinton Daniel responded to comments made during the public hearing and apologized for earlier remarks that may have implied assumptions regarding the financial status of members of the public. Mr. Daniel stated that it was inappropriate to make assumptions regarding the personal financial circumstances of residents participating in the hearing.

Mr. Daniel also addressed concerns regarding open space and landscaping within existing Everbuilt developments. He stated that the referenced development contains landscaped areas and grass, though additional seeding and landscaping work remained ongoing due to seasonal timing. Mr. Daniel further stated that higher-density residential developments are required to comply with landscaping standards under the City's R-3 zoning requirements and noted that projects would not receive final occupancy approval without satisfying those standards.

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Seeing no additional requests for public comment, Mayor Corey Foley closed the public hearing for Ordinance No. 2026-13 regarding the proposed Everbuilt rezone request for properties located at 315 West 500 North, 1189 West 500 North, and 381 North 1250 West. Mayor Foley then returned the matter to the City Council for discussion and deliberation and invited Councilmembers to share any comments or thoughts regarding the proposal.

Councilmember Ted Munford stated that while he strongly supports private property rights and an individual's ability to use property within applicable regulations, he believes reasonable limitations are necessary when legitimate public concerns exist. Councilmember Munford referenced past residential development issues near Yellow Hill where homes experienced long-term flooding problems following construction and stated that he did not believe homeowners should be placed in situations where known infrastructure or environmental concerns remain unresolved. He further stated that the City is already aware of existing sewer infrastructure concerns affecting the area and expressed that he could not support the proposed rezoning request while those issues remain unresolved.

Councilmember Robin O'Driscoll asked for clarification regarding whether the proposed development would connect to the same sewer infrastructure previously discussed during the public hearing. City Manager Quinn Bennion responded that there are multiple options for sewer connections, including connections to both the south and north near 500 North, however, both ultimately gravity flow toward the same downstream area previously identified during discussion.

Mr. Bennion stated that, until a formal sewer study is completed, the full nature and impact of future capacity issues remain uncertain. He further stated that it would be speculative to definitively conclude either that sufficient capacity exists or that it does not.

Councilmember Nick Porter stated that, while utility and sewer concerns are legitimate issues, he believed those matters are more appropriately addressed during later stages of the development review and permitting process, including site plan review and engineering approvals, rather than during the rezoning process itself. Councilmember Porter stated that, in his opinion, the primary consideration during rezoning should focus on the proposed land use and whether the requested zoning designation is appropriate for the area.

Councilmember Ed Long stated that his opinion regarding the proposed rezoning request had not changed. He acknowledged that concerns related to sewer infrastructure, traffic, and utilities are valid but expressed the opinion that such issues are typically addressed during later stages of the development review process rather than during the rezoning process itself.

Councilmember Long stated that the primary purpose of rezoning is to determine whether the proposed land use and density classification meet the definitions and qualifications established within the City's zoning code and General Plan. He stated that, in his view, the subject property qualifies for R-3 zoning under those standards and that infrastructure concerns do not alter the zoning classification itself.

Councilmember Long further stated that the rezoning process can feel backward because detailed project plans and infrastructure studies are reviewed after zoning decisions occur, though he acknowledged that is how the current process is structured. He concluded by stating that he struggles with denying a rezoning

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request based solely on infrastructure concerns when the property otherwise appears to meet the qualifications for the requested zoning designation.

Councilmember Robin O’Driscoll asked whether the proposed rezoning request could be considered spot zoning and questioned how the property relates to surrounding zoning classifications.

Assistant City Manager Braeden Christofferson stated that the City’s General Plan identifies the area for potential medium-density residential development, which aligns with the City’s R-3 zoning designation. Mr. Christofferson stated that the proposal would not constitute spot zoning because the requested use remains residential in nature and is consistent with the intent of the General Plan. He explained that spot zoning more typically involves placing an unrelated zoning classification, such as commercial zoning, within an otherwise incompatible residential area. Mr. Christofferson further stated that higher-density residential zoning can serve as a transition between major roadways and lower-density residential neighborhoods.

Councilmember Ted Munford stated that his primary concern remained ensuring that the City does not create or worsen existing infrastructure problems. He acknowledged that sewer capacity may currently exist within the system but stated that he would feel more comfortable waiting until the planned sewer study is completed before approving additional higher-density development within the area. Councilmember Munford clarified that denial of the rezoning request at the present time would not permanently prevent future consideration of the proposal, but would instead allow additional time for the City to better understand and address existing infrastructure concerns before revisiting the request.

Councilmember Ted Munford made a motion to deny the Everbuilt rezone request. Councilmember Robin O’Driscoll seconded the motion. The motion to deny the rezone passed 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>nay;</i>
<i>Councilmember Porter.....</i>	<i>nay;</i>

CONSIDER THE APPROVAL TO AMEND THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE SECTIONS 16.04 – DEFINITIONS, 16.26 – OFF-STREET PARKING AND VEHICLE ACCESS STANDARDS, 16.27 – LANDSCAPING REQUIREMENTS, 16.42 – R-3 RESIDENTIAL ZONE, 16.44 – R-4 RESIDENTIAL ZONE – ORDINANCE 2026-09 - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a proposed text amendment to multiple sections of Title 16 of the Vernal City Municipal Code related to residential zoning standards, parking requirements, landscaping regulations, and planning and zoning definitions. Mr. Christofferson stated the proposed amendments resulted from ongoing staff review of the City’s current code and were intended to address interpretation challenges, conflicting terminology, outdated standards, and inconsistent development calculations.

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Mr. Christofferson explained that the amendments would modernize portions of the residential development code while maintaining minimum development standards and City oversight of future development review. Proposed updates included transitioning R-3 and R-4 density calculations to a units-per-acre framework, clarifying housing terminology, refining parking standards, updating landscaping requirements, and revising definitions to better align with current development practices and state law references.

Mr. Christofferson clarified that the amendments would not rezone property, approve development projects, remove review processes, or eliminate parking or landscaping requirements. He stated that all future development would still be subject to zoning regulations, infrastructure review, site plan approval, and subdivision requirements.

Mr. Christofferson noted that the Planning Commission reviewed the proposed amendments during a public hearing and forwarded a unanimous recommendation for approval. In response to Council questions, he stated the changes were developed through staff discussions and comparisons with similar municipalities and were intended to simplify density calculations, improve consistency within the code, and provide clearer standards for both applicants and City staff.

Councilmember Ted Munford asked whether the proposed landscaping requirements would still require green space within developments. Mr. Christofferson responded that the code would continue to require some green space, and the proposed amendments are intended to encourage more water-conscious landscaping and xeriscaping practices as part of the City's conservation efforts. He explained that the proposed standards would allow xeriscaping, gravel, and similar materials within landscaped areas, provided that at least 50 percent of the required landscaping consists of organic material or living landscaping elements.

Mayor Corey Foley opened the public hearing for Ordinance No. 2026-09 and invited members of the public to comment.

Seeing no comment, Mayor Corey Foley closed the public hearing.

Councilmember Ted Munford moved to approve Ordinance 2026-09 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 ORDINANCE NO 2026-10, AN ORDINANCE OF THE VERNAL CITY COUNCIL APPROVING THE ANNEXATION OF PROPERTIES IN THE "VERNAL CITY — BRIAR CREEK SUBDIVISION, N & E PROPERTIES LLC ETAL PARCEL, AND JOSEPH PARCEL ANNEXATION" PETITION INTO THE BOUNDARIES OF VERNAL CITY - MICHAEL HARRINGTON

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City Attorney Michael Harrington addressed the Council regarding the Briar Creek Subdivision annexation request and stated that all required legal processes related to the annexation had been completed. Mr. Harrington explained that the Boundary Commission previously approved the annexation request with conditions and that the City Council had already reviewed and accepted those conditions during an earlier meeting.

Mr. Harrington stated that two primary questions remained regarding whether the Boundary Commission conditions had been satisfied. The first issue involved confirmation of landowner support and signature collection related to the proposed withdrawal from Ashley Valley Water and Sewer Improvement District. Mr. Harrington stated that, in his opinion, the developer had substantially satisfied that requirement. He further stated that City Manager Quinn Bennion had been coordinating with Ashley Valley Water and Sewer Improvement District representatives and would continue working with the developer to ensure any remaining signature or documentation requirements were completed.

Mr. Harrington also discussed the second outstanding condition related to connecting the subdivision to the Vernal City water system. He stated that the developer had completed significant work to install the approximately 350-foot water line connection to the City system and that most required testing had been completed, with final bacteria testing results still pending.

Mr. Harrington further explained that remaining discussion centered on the meaning of the Boundary Commission's requirement to "abandon" existing Ashley Valley water line connections. He stated that the developer interpreted abandonment to mean closing the valves and discontinuing use of the lines, while the City interpreted the term according to the American Public Works Association (APWA) standards, which would require physically capping the lines. Mr. Harrington stated that additional discussion between the developer and City staff would be necessary to determine how that requirement would ultimately be satisfied and whether the Council wished to provide any direction or assistance regarding that process.

Mayor Corey Foley clarified for the Council that the discussion specifically related to existing valves and water line connections located near 1500 South and 750 West, as well as an additional connection near 1550 South and 500 West.

Mayor Foley then opened the public hearing for Ordinance No. 2026-10 and invited members of the public wishing to comment to come forward and state their name for the record.

Quinton Daniel discussed concerns related to water connections and long-term utility capacity. Mr. Daniel stated that part of the annexation discussion involved relieving pressure on water connection availability and expressed concern that Vernal City may be assuming too much responsibility for broader regional water and growth issues. He stated that Vernal City has historically acted as a responsible steward of its water resources and questioned whether continued annexations and utility expansions could eventually strain the City's available capacity.

Mr. Daniel also discussed the possibility of future coordination or consolidation between local water districts and governmental entities. While acknowledging that cooperation may be appropriate in some

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situations, he cautioned that expanding service areas and growth opportunities too broadly could spread limited water resources too thin and reduce Vernal City's long-term ability to manage growth within its own boundaries.

Councilmember Ted Munford responded that Mr. Daniel raised a valid point and acknowledged that competitive tensions have historically existed between local governmental entities and utility districts. Councilmember Munford stated that he does not believe competition between governmental entities is beneficial and expressed the opinion that cooperation between agencies is generally preferable when addressing regional growth and infrastructure issues. He further acknowledged that water and utility capacity remain finite resources and agreed that balancing growth with available infrastructure presents an ongoing challenge for the community.

Allen Hacking of Ashley Valley Water and Sewer Improvement District addressed the Council regarding capping versus closing valves associated with the Briar Creek annexation water line connections. Mr. Hacking explained that physically capping the lines would eliminate interconnections between the Vernal City and Ashley Valley water systems and help prevent potential water loss or unauthorized cross-connections.

Mr. Hacking stated that simply closing valves could create future maintenance concerns if valve components fail or deteriorate over time and noted that three existing valves would need to be removed or capped to fully isolate the systems.

Mr. Hacking further explained that the two water systems operate under different pressure zones and warned that reopening an interconnection could create significant pressure-related damage within residential systems due to pressure differences between the districts.

Michael Spackman, residing at 292 North 300 West, asked for clarification regarding the purpose and impacts of the annexation process, including how the request could affect Vernal City services, taxes, and utilities.

Councilmember Ted Munford responded that annexation requests originate from property owners seeking to annex into the City, often due to infrastructure or utility needs, rather than from the City itself. Councilmember Munford stated that, in this case, water connections appeared to be one of the primary motivations for the request.

Councilmember Nick Porter added that annexation and development near the edges of cities are common growth patterns because cities are generally better equipped than counties to provide infrastructure and municipal services needed for residential development.

Mr. Spackman then asked whether there were additional benefits associated with annexing into Vernal City. Councilmember Munford responded that annexation could provide a variety of benefits, although significant infrastructure needs, such as water service, are often the primary reason property owners pursue annexation requests.

City Manager Quinn Bennion stated that, while the developer had worked diligently to complete the

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required water connection improvements and obtain the necessary signatures, he did not believe the issue regarding abandonment of the existing water line connections had been fully resolved.

Public Works Director Keith Despain explained that the City's concern centered on the connection near 1550 South and 750 West, where Vernal City's water pressure is approximately 20 pounds higher than Ashley Valley's system. Mr. Despain stated that, if the valve were to fail or inadvertently open, Vernal City water could feed into Ashley Valley's system without detection. He explained that physically disconnecting or capping the line would eliminate the possibility of future interconnection issues between the systems.

Mayor Corey Foley asked for clarification regarding the number of valves involved. Mr. Despain stated that the primary concern involved the connection near 1550 South and 750 West, while the other connections had either already been disconnected or would be addressed through the new water line installation. Mr. Despain further stated that his interpretation of "abandonment" differed from the developer's interpretation, explaining that simply closing the valve did not fully eliminate the interconnection risk.

Councilmember Nick Porter stated that, in his opinion, if both water entities did not agree that simply closing the valve constituted abandonment, then the condition had not been fully satisfied.

Developer Brian Nielsen addressed the Council and stated that the development team had worked diligently to satisfy all conditions imposed by the Boundary Commission, including completing the new water line connection to the Vernal City system and performing the required pressure and bacteria testing. Mr. Nielsen stated that the development team anticipated completing the final testing process shortly and connecting the subdivision to the Vernal City water system thereafter.

Mr. Nielsen also discussed the disagreement regarding abandonment of the existing line connections. He stated that the development team interpreted abandonment to mean shutting off the valve, noting that a similar configuration already existed nearby where a valve connection between systems had simply been closed rather than physically capped. Mr. Nielsen argued that there are methods available to prevent accidental reopening of the valve and expressed the opinion that maintaining the connection could be beneficial in the future if the water systems were ever unified or interconnected. He concluded by stating that the development team believed they had substantially complied with the Boundary Commission conditions and had worked cooperatively with all involved entities throughout the process.

Ryan Goodrich of Ashley Valley Water and Sewer Improvement District addressed the Council regarding the discussion surrounding abandonment of the existing water line interconnections. Mr. Goodrich explained that existing interconnections between Ashley Valley and Vernal City water systems were originally installed for emergency response purposes and that several unnecessary interconnections had already been removed over the years. He stated that remaining interconnections exist intentionally and for specific operational reasons.

Mr. Goodrich referenced the American Water Works Association definition of abandonment, stating that abandonment of a water line requires permanent decommissioning of the line in a manner that prevents future water transport and eliminates contamination risks to active distribution systems. He stated that

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simply closing a valve would not satisfy that definition.

Mr. Goodrich also stated that the broader issue of future unification between water districts was separate from the matter currently before the Council. He explained that the annexation process originated after the developer declined to dedicate water shares required by Ashley Valley for the subdivision and instead pursued service through Vernal City. Mr. Goodrich stated that Ashley Valley expected all Boundary Commission conditions to be fully completed and enforced prior to final approval, including formal abandonment of the interconnections and completion of the withdrawal process. He concluded by stating that, while Ashley Valley was comfortable with ongoing discussions regarding the withdrawal petitions, the abandonment requirement carries a specific definition that should be followed.

Seeing no further comment, Mayor Corey Foley closed the public hearing for Ordinance No. 2026-10 related to the Briar Creek Subdivision annexation request and returned the matter to the City Council for discussion.

Councilmember Ted Munford stated that the City is actively working to improve and protect its water system infrastructure and expressed agreement with Public Works staff that physically capping the interconnection was the appropriate solution. Councilmember Nick Porter agreed, noting that the Boundary Commission recommendations were based on agreements and understandings between Vernal City and Ashley Valley Water and Sewer Improvement District and stated that it was important to uphold those conditions as understood by the utility professionals involved.

Councilmember Ted Munford made a motion to approve Ordinance No. 2026-10 with the condition that the water line interconnection be physically capped. Mayor Corey Foley requested clarification regarding responsibility for completing the abandonment work and whether the condition needed to be incorporated into the motion.

City Attorney Michael Harrington explained that the ordinance was structured to allow approval with conditions and stated that the Council could conditionally approve the annexation. Mr. Harrington further explained that discussions with the developer anticipated final water system conversion and execution of the annexation on Monday, contingent upon completion of the remaining conditions.

City Manager Quinn Bennion stated that, while developers are often expected to bear substantial infrastructure costs, the Briar Creek developers had already completed significant water system improvements and conversion work to connect to Vernal City utilities. Mr. Bennion expressed support for the City assisting with the capping work and suggested a cooperative arrangement where Vernal City would complete the excavation and capping while the developer would complete the paving restoration afterward.

Developer Brian Nielsen stated that the development team believed they had already gone above and beyond prior requirements, including installation of an additional fire hydrant requested by Vernal City that had not been part of the original Boundary Commission conditions. Mr. Nielsen expressed appreciation for the City's willingness to work cooperatively with the developer regarding the capping process.

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Councilmember Ted Munford amended his motion to approve Ordinance No. 2026-10 as presented, with the condition that Vernal City complete the excavation and capping work for the abandoned water line connection and the developer complete the paving restoration afterward. Councilmember Randel Mills seconded the motion. Councilmember Ed Long recused himself from the vote, citing familial ties to a property owner within the annexation area. The motion passed unanimously with the following roll call vote:

Councilmember Munford..... aye;
Councilmember Mills aye;
Councilmember O'Driscoll..... aye;
Councilmember Long..... abstain;
Councilmember Porter..... aye;

Councilmember Randel Mills expressed concern regarding the number of significant and sensitive agenda items scheduled during one meeting. Councilmember Mills stated that placing multiple high-interest public hearing items on a single agenda was unfair to both the Council and members of the public who were required to wait through lengthy discussions before the items they wished to address were heard. Councilmember Mills encouraged limiting future meetings to one or two major public hearing topics to better accommodate both Council deliberations and public participation.

ADJOURN: There being no further business; *Councilmember Nick Porter moved to adjourn. Councilmember Randel Mills seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.*