MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD SEPTEMBER 2, 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, and Nick Porter and Mayor Corey Foley.

WELCOME: Mayor Corey Foley welcomed everyone to the meeting.

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Nick Porter.

Mayor Corey Foley acknowledged the addition of Vernal City's new attorney, Clark McClellan, and welcomed him to the meeting. City Manager Quinn Bennion explained that the arrangement was temporary and expressed appreciation for Mr. McClellan's willingness to step in and assist the City.

APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 19, 2026

Councilmember Ted Munford moved to approve the minutes of the Regular City Council Meeting held August 19, 2026. Councilmember Robin O'Driscoll seconded the motion. The motion passed with Councilmembers Munford, Mills, O'Driscoll, Long, and Porter voting in favor.

PUBLIC HEARING FOR THE REZONE OF WILD MOUNTAIN INVESTMENTS PROPERTY; CONSIDER THE APPROVAL OF ORDINANCE 2026-25, WILD MOUNTAIN INVESTMENT REZONE - BRAEDEN CHRISTOFFERSON

Assistant City Manager Braeden Christofferson presented a request from Wild Mountain Investments, LLC, represented by Heather Smith, to rezone approximately 1.67 acres at 291 South Vernal Avenue from R-3 Residential to C-2 Central Commercial. The property is being marketed for sale to a prospective purchaser intending to develop a family amusement enterprise, which is not permitted under the current zoning.

Mr. Christofferson reviewed the surrounding zoning and noted that the property is adjacent to existing commercial, residential, and Uintah County Fairgrounds property. The City's General Plan identifies the area for central commercial use. He reported that the Planning Commission received comments regarding traffic, noise, truck activity, lighting, buffering, and infrastructure. Mr. Christofferson also clarified that the public notice incorrectly referenced "heavy commercial" zoning and that the request is for C-2 Central Commercial.

Mayor Corey Foley opened the public hearing for the Wild Mountain Investments rezone and Ordinance 2026-25. He reviewed the public hearing procedures and invited those wishing to comment to address the Council.

Amadeus Guy, 72 East 200 South, supported the City's downtown revitalization efforts but encouraged the Council to consider the value of the established residential neighborhood. He noted that the area has experienced significant residential investment since the General Plan was adopted in 2010. Mr. Guy expressed concerns regarding increased traffic and pedestrian safety, particularly for children traveling to nearby recreational facilities. He encouraged additional pedestrian and traffic-calming improvements and recommended limiting commercial access to South Vernal Avenue rather than 100 East.

City Recorder Sara Bell noted that written comments from Katelyn Carson were included in the City Council packet.

Tod Wilkins, 195 East 400 South, expressed concerns regarding additional noise, traffic, and neighborhood safety. He noted that the area already experiences significant activity during events at Western Park and encouraged the City to carefully consider access and the impacts of additional commercial development.

Russell Smith, 1285 North Yellow Hill Drive, identified himself and his wife as the property owners. He stated that they purchased the property approximately four years ago as an investment and supported the proposed family amusement center because of its compatibility with nearby recreational facilities. Mr. Smith stated that he preferred the proposed use over potential high-density residential development, which he believed could have greater impacts on traffic and utilities. He acknowledged neighborhood concerns but believed the prospective purchaser would work with surrounding property owners to address them.

Kellene Gambel, owner of the property immediately north of the subject property, stated that her property has been zoned C-2 and used commercially for several years. She expressed mixed feelings about the rezone, noting that either residential or commercial development would impact traffic and utilities. Ms. Gambel encouraged the City to consider aesthetics, landscaping, parking, pedestrian safety, sidewalks, and compatibility with the surrounding neighborhood. She specifically expressed concern with the proposed chain-link fencing and encouraged improvements consistent with the appearance of the downtown area. She stated that she supported growth but asked the City to carefully consider the impacts of future development.

Tylee Hague, owner of the insurance business adjacent to the subject property, supported the proposed rezone but expressed concerns regarding fencing, pedestrian access, and the condition of the sidewalk along Vernal Avenue. She noted that the existing sidewalk is in poor condition and has created tripping hazards for clients visiting her business. With the potential for increased pedestrian traffic from the proposed development, she encouraged the City to prioritize sidewalk improvements. Ms. Hague also requested fencing that would discourage pedestrians from cutting through her property.

Braeden Christofferson explained that developers are typically responsible for required curb, gutter, and sidewalk improvements associated with their development. City Manager Quinn Bennion added that the City had secured a $1.5 million UDOT grant for sidewalk improvements along Vernal Avenue from 200 South to 500 South, with construction anticipated in 2028. Mayor Corey Foley noted that the grant funding would allow the improvements to be completed without a property assessment to adjacent owners.

Anthony Barrett, 284 South 100 East, stated that his property directly borders the subject property and expressed concern about the long-term impacts of changing the zoning from R-3 to C-2. As a first-time homeowner who has invested significant time and money into renovating his property, he was concerned about impacts to the residential neighborhood and his property value.

Mr. Barrett requested that protections be established for future development of the property, including limiting vehicle access to South Vernal Avenue with no access from 100 East. He also requested a solid privacy fence, shielded downward-facing lighting, restricted operating hours, no outdoor industrial storage, and xeriscape landscaping to reduce water use.

Councilmember Ted Munford noted that the area experiences significant parking congestion during rodeo and other events and questioned whether conditions could be placed on the proposed development to address access and other concerns. Braeden Christofferson explained that the proposed use would still require a conditional use permit through the Planning Commission, where appropriate conditions could be considered. Councilmember Munford cautioned against the City becoming overly involved in determining aesthetic preferences. Councilmember Nick Porter noted that existing landscaping, lighting, and other development standards would also apply.

Amadeus Guy expressed additional concern regarding potential evening operations and noise. He noted that although the prospective purchaser had previously discussed daytime operating hours, a family amusement business may ultimately require evening hours. He was also concerned that C-2 zoning would remain with the property regardless of the success of the proposed business and could allow future commercial uses that may impact the residential character of the neighborhood.

Dewey Paulson, 319 South 100 West, expressed concern regarding existing traffic conditions along Vernal Avenue, particularly between Main Street and 500 South. He also questioned how future use of the currently vacant school property could further impact traffic in the area.

Braeden Christofferson reviewed the prospective purchaser's preliminary concept, which included an approximately 16,000-square-foot building on the southern portion of the 1.67-acre property with parking to the north and access to both Vernal Avenue and 100 East. He emphasized that the plans were preliminary and could change through the development process. Mr. Christofferson also noted that the City's noise ordinance generally restricts excessive noise between 11:00 p.m. and 7:00 a.m.

Mayor Corey Foley invited any additional comments and, seeing none, closed the public hearing

and proceeded to consideration of Ordinance 2026-25.

Councilmember Ted Munford stated that he generally supported allowing property owners to use their property as they choose unless the proposed use creates an identifiable impact on others. He felt the requested zoning was compatible with the surrounding area and noted that the request had been reviewed and recommended by the Planning Commission.

Councilmember Ed Long agreed that the requested C-2 zoning was compatible with the surrounding zoning. He acknowledged that traffic, access, and noise were valid concerns but noted that those issues would be more appropriately addressed during the project approval and conditional use process, when specific conditions could be considered.

PUBLIC HEARING; CONSIDER THE APPROVAL OF THE SALE OF SIX LOTS IN THE AMERICAN DREAM SUBDIVISION FOR THE UBAOG SELF-HELP HOME PROJECT – QUINN BENNION

City Manager Quinn Bennion explained that the proposed sale of City-owned property requires a public hearing pursuant to State law. He stated that the property, located near 600 South and 300 West, was purchased by the City several years ago with the intent of partnering with the Uintah Basin Association of Governments (UBAOG) to develop affordable housing through its Self-Help Housing Program. Four homes within the subdivision are currently nearing completion and are awaiting electrical connections before the homeowners can move in.

Mr. Bennion explained that participants in the Self-Help Housing Program must meet income qualifications and contribute approximately 30 hours of labor per week toward the construction of their homes, either personally or with assistance from family and friends. This allows participants to build sweat equity and obtain a mortgage that is more affordable. He noted that the City has been developing the American Dream Subdivision for several years and that the proposed sale represents the next phase of the project.

Mr. Bennion stated that the six lots are approximately 2,500 square feet and are intended for small homes constructed pursuant to the City's small home regulations. He explained that the City calculated the sale price by dividing its original acquisition cost among the 15 lots within the subdivision. Each of the six lots would be sold for $15,000. He emphasized that the City's intent is not to generate a profit from the property but to recover its costs while supporting the development of attainable and affordable homeownership opportunities.

Mayor Corey Foley opened the public hearing regarding the sale of the six City-owned lots in the American Dream Subdivision and invited members of the public to provide comment.

Mr. Bennion added that Assistant City Manager Braeden Christofferson had noted that, although the property is zoned R-4, a tiny home overlay is also required. The overlay has already been completed, and the lots are ready for construction. He noted that construction of the roadway serving the subdivision would be discussed later on the agenda.

Seeing no comments from the public, Mayor Foley closed the public hearing.

Councilmember Randel Mills asked why UBAOG was proceeding with six lots rather than the remaining lots at one time. Mr. Bennion explained that the Self-Help Housing Program can support only a limited number of homes at one time and receives a limited number of federally approved housing contracts. He anticipated that the next phase would include four lots available for the program. He noted that an additional fifth lot remains undetermined and may ultimately remain City-owned.

Councilmember Ed Long moved to approve the sale of six City-owned lots, as presented by Quinn Bennion. Councilmember Randel Mills seconded the motion. The motion passed with the following roll call vote:

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

PUBLIC HEARING FOR WATER AND SEWER REVENUE BONDS FOR THE 100 N WATER AND SEWER PROJECT - KEITH DESPAIN

Public Works Director Keith Despain presented information regarding the water and sewer revenue bonds for the 100 North Water and Sewer Project. He explained that the project includes replacement of water and sewer lines from 500 East to 1000 West, resurfacing of 100 North, and improvements to approximately three miles of the 3500 West transmission line.

Mr. Despain stated that the project is funded through the Community Impact Board with approximately 70% grant funding and 30% loan funding. The funding package includes a $4,517,000 grant and $1,937,000 in bonds, with the loan to be repaid over 15 years at 0.5% interest.

Mayor Corey Foley opened the public hearing to receive comments regarding the issuance of the water and sewer revenue bonds. Seeing no public comments, and Mayor Foley closed the public hearing.

Mr. Despain explained that the Council had previously approved the required bond resolution and no additional action was necessary following the public hearing. After the required waiting period, the City may proceed with closing on the loan. He also noted that notice of the bonding process was included with August water bills through a QR code directing customers to additional project and financing information on the City's website.

PUBLIC HEARING FOR THE SUBMISSION OF TWO CIB APPLICATIONS - KEITH DESPAIN

Keith Despain explained that the Community Impact Board (CIB) now requests public input prior

to the submission of funding applications. Vernal City intends to submit two CIB applications during the upcoming funding cycle, and the purpose of the public hearing was to receive public comment on the proposed projects before the applications are submitted.

Mr. Despain presented the Highway 40 Buffered Parking and Pedestrian Safety Project, which is part of the planned redevelopment of the Lamplighter Block. The project would create a buffered parking or slip lane along Highway 40, allowing vehicles to exit the highway before entering the parking area. The existing curb and gutter would also be relocated to provide additional space between on-street parking and highway traffic, allowing motorists to more safely enter and exit parked vehicles. The project also proposes relocating the existing pedestrian crossing beacon to the center of the block to create a signalized pedestrian crossing and improve pedestrian access to the redeveloped area.

Councilmember Ted Munford questioned whether the project would include the pedestrian island shown in the conceptual plan. Mr. Despain explained that the island was included in the preliminary concept and that UDOT had indicated it was not opposed to the feature. He emphasized that the plans remain conceptual and that, if funding is awarded, the City would complete the full design process before construction.

Mr. Despain estimated the total project cost at approximately $1 million and stated that staff anticipated requesting a 50% CIB grant, with the remaining 50% provided through City funds or a CIB loan. He explained that the City has funds available to contribute toward the project but that the final funding structure would depend upon the CIB award.

Councilmember Ed Long questioned why the City would request a 50/50 funding split rather than a 70% grant and 30% loan split. Mr. Despain explained that the City planned to request the more favorable 70/30 split for its second and higher-priority project. Quinn Bennion added that it is uncommon for one entity to submit two projects during the same CIB funding cycle, and staff wanted to be strategic in presenting both requests. He stated that the projects would first be reviewed through the Uintah Basin Association of Governments before proceeding to the CIB.

Councilmember Ed Long suggested requesting the funding structure most favorable to the City and allowing the CIB to reduce the grant portion if necessary rather than beginning with a lower request. Mr. Bennion acknowledged the concern and explained that CIB uses a scoring tool to evaluate appropriate funding packages and that requests near the recommended funding split generally receive favorable consideration.

City Attorney Clark McClellan questioned whether the City needed to establish a priority between the two applications. Mr. Bennion confirmed that the second project would be the City's higher priority because it is a water infrastructure project, which generally ranks highly under CIB funding criteria.

Mr. Bennion and Mr. Despain also discussed the timing of the applications. They noted that the previous CIB funding round received requests substantially exceeding available funds, while the

upcoming round was anticipated to have greater funding availability based on mineral lease revenues and other available funds. Staff believed the upcoming cycle presented a favorable opportunity to submit both projects rather than delaying one to a later funding round.

Mr. Despain presented the second proposed CIB application for Phase Two of the City's water system improvements. He explained that the project consists of three primary components and is estimated at approximately $4.5 million. The City intends to request a funding package of 70% grant and 30% loan from the CIB.

The primary component would replace existing six-inch waterlines in the 600 North and 650 North area between Vernal Avenue and 500 West. Mr. Despain explained that the neighborhood has experienced frequent waterline and service line problems and has required repeated repairs by City crews. The existing six-inch lines are undersized by current standards and would be replaced with eight-inch lines. The project would also replace service lines, meter barrels, and other aging components. Additional connections would be constructed to provide bidirectional water service to the neighborhood and improve system reliability.

The second component would create a waterline connection on the east side of the City between Main Street and 135 South. Mr. Despain explained that the existing lines currently dead-end, and looping the system would improve water flow and allow Vernal City to directly serve residents and businesses along 1500 East that are currently served through an exchange with Ashley Valley.

The third component would provide a dedicated feed line to the City's five-million-gallon water storage tank from the recently improved 3500 West transmission line. Currently, water enters and exits the tank through the same transmission line. The proposed connection would improve circulation and water quality within the tank while providing redundancy if one of the City's main transmission lines experiences a failure.

Mayor Corey Foley questioned whether the City had the necessary right-of-way for the new tank connection. Mr. Despain stated that additional right-of-way would need to be obtained and that staff would explore opportunities through private property that could provide better access for construction and future maintenance. An alternative route using existing City infrastructure is also available.

Mayor Foley also questioned whether sewer improvements should be completed in conjunction with the waterline work to avoid disturbing the roadway again in the future. Mr. Despain stated that, unlike the 100 North project, staff has not identified significant sewer system problems in this neighborhood and the proposed CIB application is currently limited to water improvements. He agreed to consult with City crews regarding any known sewer concerns before the project moves forward. Councilmember Ted Munford noted that he grew up in the neighborhood and recalled recurring water problems but did not recall similar sewer issues.

Mr. Despain reiterated that the City intends to request a 70% grant and 30% loan for the approximately $4.5 million project. He clarified that the requested funding structure is not

guaranteed and that the CIB may award a different combination of grant and loan funding based on its review and available resources.

Mayor Foley opened the public hearing to receive comments regarding both proposed CIB applications. City Attorney Clark McClellan expressed support for the projects and stated that they were important to Vernal City's infrastructure.

Mr. Despain clarified for the public record that the funding packages identified in the applications represent the City's requested funding terms and are not guaranteed. He explained that the CIB will determine the final award and may approve a different grant-to-loan ratio than requested by the City.

Seeing no further comment, Mayor Foley closed the public hearing. Mr. Despain explained that no Council action was required and that the purpose of the hearing was to receive public input prior to submission of the CIB applications. He noted that the minutes from the public hearing would be included with the applications.

CONSIDER THE APPROVAL OF WORK CHANGE DIRECTIVE #1 FOR THE 100 N PAVING PROJECT - KEITH DESPAIN

Keith Despain presented a work change directive for the 100 North Water and Sewer Project. He explained that after the existing roadway was milled, the underlying asphalt and road base were found to be inadequate for placement of the planned two-inch asphalt overlay. Condie Construction was directed to pulverize approximately the top six inches of existing asphalt and road base, add moisture, recompact the material, and prepare a stable surface for paving.

Mr. Despain stated that the additional work delayed the project by approximately one week and resulted in a cost of $98,430. He recommended approval of the work change directive.

Councilmember Ted Munford questioned whether recent heavy rainfall had impacted the project. Mr. Despain stated that the rain created soft spots that required the contractor to remove wet material and replace it with dry material ahead of paving operations.

Mr. Despain reported that the asphalt was being hauled from the Point of the Mountain area and that the project engineer had commented on the exceptional consistency of the asphalt mix and materials.

Quinn Bennion noted that although the change directive totaled $98,430, the project engineer identified approximately $70,000 in contingencies and underruns within the existing contract to offset the cost. The remaining approximately $28,000 to $30,000 would be funded through the City's water and sewer funds. Mayor Corey Foley noted that the additional work was necessary to ensure the roadway was constructed properly.

Councilmember Nick Porter moved to approve change order directive #1 for Condie Construction, for the total amount of $98,430. Councilmember Robin O'Driscoll seconded the motion. The

motion passed with the following roll call vote:

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

Mr. Despain reported that paving was expected to be completed by the end of the week and that the contractor was working extended hours to complete the project following the one-week delay. In response to a question from Councilmember Ed Long, Mr. Despain estimated the total project cost at approximately $6.5 million. He also noted that the contractor had submitted a request of approximately $20,000 for additional work associated with replacing wet material and repairing soft spots following the recent rainfall. The request was still under review and had not been approved.

CONSIDER APPROVAL OF A CONSTRUCTION AGREEMENT WITH CONDIE CONSTRUCTION FOR AMERICAN DREAM SUBDIVISION INFRASTRUCTURE - KEITH DESPAIN

Keith Despain presented the construction agreement with Condie Construction for infrastructure improvements in the American Dream Subdivision, noting that the Council had previously approved Condie Construction for the project on the north side of 600 South.

Mr. Despain reported that staff had completed a pre-construction meeting with the contractor and the CDBG funding agency to review federal requirements, including Davis-Bacon and Buy America requirements. He stated that Condie Construction has experience with these requirements and that the project was ready to proceed. City Attorney Clark McClellan had reviewed the agreement and was comfortable with its terms.

Mr. Despain recommended approval of the construction agreement with Condie Construction in the amount of $607,305.

Councilmember Ted Munford moved to approve the construction agreement with Condie Construction for the American Dream Subdivision infrastructure as presented. Councilmember Ed Long seconded the motion. The motion passed with the following roll call vote:

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

Mr. Despain added that Condie Construction anticipated beginning work on September 14 and estimated approximately two months to complete the project. The contractor intends to complete

the infrastructure and paving before the end of the year, which Mr. Despain noted would benefit the UBAOG self-help housing program and allow development of the next phase to move forward.

REVIEW OF PROPOSALS FOR THE CONSTRUCTION OF A POLICE DEPARTMENT STORAGE SHED AND DISCUSSION ABOUT NEXT STEPS - KEITH DESPAIN

Keith Despain presented the proposals received for construction of an evidence storage building for the Vernal City Police Department. He explained that the Police Department is nearing capacity in its existing evidence storage areas and requires additional space, particularly because some evidence must be retained for extended periods. The proposed building would be located on the east side of City Hall.

Mr. Despain reported that the City received seven proposals, all of which exceeded the $200,000 project budget when exclusions were taken into consideration. He noted that the proposals varied significantly in scope and format, making direct comparisons difficult. Staff recommended rejecting all proposals and interviewing several of the contractors whose proposals were closest to the budget to determine whether a design-build approach could reduce costs while still meeting the Police Department's essential needs.

The Council discussed potential cost-saving measures, including eliminating or postponing nonessential features, completing some work with City crews, and installing portions of the building in phases. Police Chief Mike Gledhill explained that some features included in the original request, such as a vehicle hoist and secured interior bays, could be postponed if necessary. Councilmember Nick Porter suggested constructing the basic building within the current budget and completing additional improvements in a future budget year.

Quinn Bennion recommended that staff maintain fairness in the procurement process by beginning discussions with the lower bidders rather than disregarding the proposals already received. Mr. Despain agreed and stated that staff could interview contractors whose proposals were within reasonable range of the budget to determine their willingness to participate in a design-build process and identify opportunities to reduce or phase project costs.

Police Chief Mike Gledhill emphasized the immediate need for additional evidence storage, noting that the Department had recently taken custody of another vehicle and had very limited remaining space. He stated that a basic dried-in building with secure doors could meet the Department's immediate needs, with interior security improvements and other features added later as funding allows.

The Council also discussed whether existing City facilities could provide temporary storage while a permanent solution is developed. Staff agreed to continue evaluating available space and options for moving the evidence storage project forward within the available budget.

Councilmember Nick Porter moved to reject the bids for the construction of the storage building for the Police Department. Councilmember Ed Long seconded the motion. The motion passed

with the following roll call vote:

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

Mayor Corey Foley acknowledged the significant time and effort required for contractors to prepare project proposals. He asked staff to express the City's appreciation to those who submitted bids, particularly local contractors, and to communicate that the City remains committed to completing the project and would like to work with contractors to identify a feasible solution. Mr. Despain agreed and expressed appreciation for the time and effort contractors invested in preparing their proposals.

STAFF REPORTS
City Manager Quinn Bennion reminded the Council of the upcoming Energy Summit and Utah League of Cities and Towns conference and asked members to notify staff if they planned to attend.

Mr. Bennion reported that the Dinah "SOAR" Days Hot Air Balloon Festival was successful and received many positive comments. He thanked City staff, particularly the Police and Streets Departments, for their work associated with the event and the closure of Main Street on two evenings.

Mr. Bennion asked whether the Council was interested in scheduling its annual visit to the Ashley Gorge area to review improvements and changes. Councilmembers expressed interest, and Mr. Bennion stated that staff would coordinate a date and highlight new trails in the area. He recommended noticing the outing as a public meeting if City business may be discussed.

Mayor Corey Foley also commented on the success of the balloon festival, noting the large number of balloons participating and the strong attendance downtown. He specifically recognized the participation of a paraplegic hot air balloon pilot as a unique part of the event.

CLOSED SESSION
Mayor Corey Foley stated that there was a need for a closed session. Councilmember Nick Porter moved to go into closed session, to be held in the Jury Room, pursuant to Utah State Code Title 52, Chapter 4, Sections 204 and 205, for the following purposes:

1. *Strategy sessions to discuss pending or reasonably imminent litigation;*

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

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

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