

VINEYARD CITY COUNCIL MEETING
City Council Chambers
125 South Main Street, Vineyard, Utah
November 13, 2019 at 6:01 PM

Present

Councilmember John Earnest
Councilmember Tyce Flake (6:21 PM)
Councilmember Chris Judd
Councilmember Nate Riley

Absent

Mayor Julie Fullmer

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Water/Parks Manager Sullivan Love, City Recorder Pamela Spencer, Planning Commissioners Anthony Jenkins and Tay Gudmundson

Others Speaking: Residents Randy Gray, David and Claudia Lauret, Jamie Gillman, and Steve Steenblik

6:00 PM REGULAR SESSION

1. MAYOR PRO TEMPORE

City Recorder Pamela Spencer will call the meeting to order and then call for a vote from the City Council to appoint a mayor pro tempore to run the City Council meeting and sit as Chair for the RDA meeting. She will then turn the time over to the newly appointed mayor pro tempore.

Ms. Spencer opened the meeting at 6:01 PM. She then called for a nomination to elect a mayor pro tempore.

Motion: COUNCILMEMBER EARNEST NOMINATED COUNCILMEMBER CHRIS JUDD AS MAYOR PRO TEMPORE FOR THIS EVENING. COUNCILMEMBER RILEY SECONDED THE NOMINATION. ROLL WENT AS FOLLOWS: COUNCILMEMBERS EARNEST, JUDD, AND RILEY VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER FLAKE WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Ms. Spencer turned the time over to Mayor Pro Tempore Judd. She mentioned that he would also chair the Redevelopment Agency Board meeting.

**2. PLEDGE OF ALLEGIANCE
INVOCATION/INSPIRATIONAL THOUGHT**

Councilmember Earnest led the Pledge of Allegiance and gave the invocation.

3. PUBLIC COMMENTS

Mayor Pro Tempore Judd called for public comments.

Resident Randy Gray representing the residents living in the Villas @ Waters Edge subdivision said that they loved the location and everything it offered. He felt that the concept of a planned urban development had not prepared for the congested parking, especially in The Preserve subdivision. He expressed concern with the amount of traffic congestion that was created when cars were parked across from each other. He felt that the biggest issue was that there were more than four (4) people living in some of the units in The Preserve. He quoted city code on the definition of a family. He said that The Preserve management had downsized their allowed street parking and now people were parking on Mallard Drive, which he felt had become a parking lot. He mentioned that Vineyard Loop Road was larger, but did not allow parking. He said that there were up to 200 cars parking on Mallard Drive, especially on the weekends. He said that this also created a littering problem, which The Villas residents had to clean up. He explained that they had submitted an application to address the parking issues, which exceeded the 75 percent signature limit. He felt that this demonstrated a critical need. He mentioned that there were also commercial vehicles with equipment that extended over the back end of the vehicles and people who were living in converted buses for weeks at a time while parked on Mallard Drive. He said that the residents in The Villas were seeking an application for preliminary assessment of the traffic conditions and asking the city to take the stance of restricting parking between the hours of 10:00 PM and 6:00 AM. He stated that they needed the city's help and leadership.

Councilmember Earnest asked if Mr. Gray thought that the immediate solution of no parking on their streets from 10:00 PM to 6:00 AM would accomplish most of their concerns. Mr. Gray explained that it was very disrupting to their routines, for residents whose homes fronted Mallard Drive, when people were parking there after 10:00 PM. Mr. McHargue explained that staff was working on a proposal where a neighborhood next to high density could apply for a parking assessment. He thought it would be ready to present at the next council meeting.

Resident Claudia Lauret living on Holdaway Road explained that she had been walking on Holdaway Road with her granddaughter and was almost run off the road by a speeding car. She said that they had to jump into the bushes to protect themselves.

Councilmember Flake entered the meeting at 6:21 PM.

Ms. Lauret mentioned that there were no sidewalks and that the residents were promised that it would stay a "little country road." She said that the traffic issue was concerning and that she hoped it would be resolved soon. She felt that ticketing the cars would also bring in revenue. She also felt that it was an issue to have to jump into the weeds to be safe. She pled with the city council to resolve the issue. She mentioned that she had walked to the meeting.

Resident Jamie Gillman living on Parkview Circle said that her children walked through the field to get to the bus stop because they were afraid that they would be hit by a car. She mentioned that there were a lot of runners on Holdaway Road as well. Mr. McHargue explained that a trail was planned on the north end of Holdaway Road. Mr. Overson mentioned that it would be an intermittent trail. Mr. McHargue explained that on the south end of the road there was housing on both sides and so it did not have the property to put a trail in. Councilmember Riley said that it was part of the decision to not have a sidewalk on Holdaway Road. He explained that it had always been a small road with property and homes that butted up close to the road. He said that the decision was made to improve the road but to minimize the "take" from the property owner.

He said that if he could erase the downturn of 2008, they would have had an overpass built a long time ago, which would have avoided the behavioral patterns that had developed now. He felt that the path of least resistance had taken traffic down Holdaway Road.

4. ► **MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS**

Councilmember Flake reported that he had just attended a four-hour meeting with Mountainland Association of Governments (MAG) and the Utah Lake Commission where they discussed the development of the lake and the transportation around it. He said that since there were no east/west connections, there was an inappropriate burden on the major roads that did exist. He said that the current planning was an attempt to address that problem in the next 30 years with 5-year plans. He said that he advocated for the extension of the Vineyard Connector, which they placed on their short list to take the load off of Geneva Road and I-15. They were hoping to connect it to a new freeway that would go across the top of Utah Lake, below Pioneer Crossing.

5. ► **STAFF, COMMISSION, AND COMMITTEE REPORTS**

City Manager/Finance Director – Jacob McHargue – reported that there was a smell coming off of the old Geneva Steel property. He said that he met with the Utah Department of Environmental Quality (DEQ) and US Steel and they were working with the contractor to address the issue. They were developing an air quality plan to ensure that the smell was merely a nuisance and not a health risk. He explained that the smell was coming off of the coal tar pond that was on the north side of the site. He further explained that the material was being moved to the Containment Area Management Unit (CAMU). He stated that the city had no authority over the project; it was a permitted project through the EPA and the Utah DEQ.

Utah County Sheriff's Office – Sergeant Holden Rockwell – Sergeant Rockwell presented the 3rd quarter report. Highlights were:

QTR.	Total CAD Calls	Officer Generated Calls	Public Generated Calls	Case Numbers	Arrests	Traffic Stops	Citations
2 nd Qtr.	2123	982	1141	374	75	502	142
3 rd Qtr.	2098	1028	1070	368	49	563	181

Response Times Qtr. 2:

Priority 1-2	4:57
Priority 1-2 calls	333

Nature of incidents Qtr. 2:

Burglary/Theft	16
Assault/Domestic Violence	27
Drugs/Alcohol	27

Response Times Qtr. 3:

Priority 1-2	3:32
Priority 1-2 calls	322

Nature of incidents Qtr. 3:

Burglary/Theft	20
Assault/Domestic Violence	25
Drugs/Alcohol	21

Sergeant Rockwell said that he was excited that the response times had gone down.

Councilmember Earnest asked if the deputies could pay special attention to Holdaway Road to provide awareness about the speeds traveled on it. Sergeant Rockwell replied that Holdaway Road already had extra patrols, but he would remind them about it.

Councilmember Riley mentioned that he had seen some videos of things that happened around Halloween and wanted to know what they were doing to minimize the risks during the holiday season. Sergeant Rockwell said that package theft usually went up around the holidays and one of the things that they had done the last few years was through the social media sites was to remind citizens to track their packages. He added that he had directed his deputies to do more patrols in the neighborhoods. Councilmember Earnest mentioned that Amazon had a program where people could purchase a device for their garages so that the drivers could put the packages in the customer's garage. Resident Steve Steenblik living in The Villas subdivision said that he had the device but it was not available in their area yet. He said that there were lockers around that they could be delivered to. Mr. McHargue mentioned that the city had started an application to be an Amazon site for pickup.

Community Development Director – Morgan Brim – Mr. Brim reported that at November 6 Planning Commission meeting they approved a sign standard waiver for the America First Credit Union building and the site plan, elevations, and architectural drawings for the Alpine Pediatrics Medical Office Building. They watch a walkability video from Jeff Speck, who is working on the Town Center design. Mr. Brim suggested that the council look up Mr. Speck's Ted Talks on YouTube. He added that the Planning Commission held a public hearing for text amendments to the Zoning Code for preschools and daycares, with a recommendation to council for approval. They also adopted their 2020 meeting schedule.

Planning Commission Chair – Cristy Welsh – Chair Welsh was excused.

City Recorder – Pamela Spencer – Ms. Spencer invited everyone to attend the special session on November 19, 2019 at 6:00 PM, to certify the election results.

6. DISCUSSION ITEMS

No items were submitted.

7. CONSENT ITEMS

7.1 Approval of Lakefront @ VTC Phase 2-C Final Plat

7.2 Approval of Lakefront @ VTC Phase 2-E Final Plat

7.3 Approval of Lakefront @ VTC North Backbone Final Plat

Mayor Pro Tempore Judd called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE CONSENT ITEMS AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE.

8. MAYOR'S APPOINTMENTS

No names were submitted.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING – Zoning Code Text Amendment Ordinances 2019-09 And 2019-10 (15 minutes)

The City of Vineyard is proposing zoning text amendments to the Vineyard Zoning Ordinance, including: Chapter 15.60 Home Day Care, Chapter 15.60 Home Preschool, 15.12.050 District Use Table, and Vineyard City Special Purpose Zoning Districts 5.08.010 to allow day cares and pre-schools to allow seven (7) children in all zoning district as a permitted use, and up to 10 children in all zoning districts as a conditional use.

Mayor Pro Tempore Judd Turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that amendments take the home daycare and preschool provisions and make them consistent throughout the code. The changes would allow them to have up to seven (7) children/students as a permitted use. They would still be required to go through the process to obtain a business license. The code would allow them to have up to 10 children/students through a Conditional Use Permit and be consistent with the building code. He said that Planning Commission had recommended approval.

Councilmember Earnest asked if these changes would hurt any of the current businesses. Mr. Brim replied no, but added that it would require an additional caregiver for eight (8) or more students. Mayor Pro Tempore Judd asked if the city currently had any preschools and daycares. Mr. Brim replied that they had a couple of preschools with licenses, but they also had a few that did not have a license and they were working with them. Councilmember Earnest asked if the standards that would be implemented were consistent. Mr. Brim replied yes. Councilmember Riley asked if they currently allowed this in all zoning districts. Mr. Brim replied yes, the city allowed them, but they had to meet the building code. He explained that it was currently controlled differently in certain areas, and gave the examples that they were allowed use in The Homesteads, in Waters Edges they were required to get a conditional use permit. The changes would make it consistent throughout the city. Councilmember Riley asked what would happen if someone from The Preserve wanted to do something like this, and asked if they could have up to 10 children/students with a conditional use permit. Mr. Brim replied that if someone came in from a townhome, they would have to look at the Zoning and Building Code to see if they met the requirements in order to get a permit.

Mayor Pro Tempore Judd called for a motion to open the public hearing.

Motion: COUNCILMEMBER EARNEST MOVED TO OPEN THE PUBLIC HEARING AT 6:48 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd called for public comments. Hearing none, he called for a motion to close the public hearing.

Motion: COUNCILMEMBER RILEY MOVED TO CLOSE THE PUBLIC HEARING AT 6:49 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Councilmember Flake sought clarification, asking if they were rationalizing the code, changing it so it was uniform. He asked if this would expand or shrink the opportunity to do the business. Mr. Brim replied that it increased the maximum number of children but did not decrease property rights.

Motion: COUNCILMEMBER EARNEST MOVED TO ADOPT ORDINANCE 2019-09 AND ORDINANCE 2019-10. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.2 ► **DISCUSSION AND ACTION - Flashing Signs**

Assistant City Engineer Chris Wilson will present a plan for flashing signs on Holdaway Road. The mayor and City Council will take appropriate action.

Mayor Pro Tempore Judd turned the time over to Assistant City Engineer Chris Wilson.

Mr. Wilson said that his goal was to report the findings on Holdaway Road and how they hoped to help calm the traffic issues in the area. He said that it was one of the only underdeveloped streets that lacked a full cross section used by pedestrians, bikes and vehicles. He said that staff met with a group of residents living on Holdaway Road, along with Councilmember Flake, to discuss the issues and concerns they had. He said that the majority of the concerns appeared to be speeding. He said that one of the major issues on that road was the volume of traffic, which was difficult to control. He explained that staff could not control the development of the area and where the roads and infrastructure were going. He said that they had hopes that in the near future with the improvements of the infrastructure network that Holdaway Road would see relief. He felt that one solution that they could move forward with at this time was to implement the use of traffic radar signs that would flash and display the speed of the driver. There were two (2) ways to do this. One would be to use the existing signs from The Sleepy Ridge development, and the other would be to purchase permanent signs which would cost about \$7,300 for two signs plus the additional costs for posts and other equipment to install them.

Councilmember Earnest asked about using the radar signs on Holdaway Road, which were purchased by a resident. Mr. Wilson replied that staff felt that the signs were not in an effective place. They would like them in the center of Holdaway Road north to south, near of the straightaway so they would get people before they were picking up their speed. He stated that the existing signs were not city property but they were welcome to donate them to the city. Councilmember Earnest asked if the city could purchase them. Mr. Wilson said that was a possibility. Mayor Pro Tempore Judd asked if the signs were the same quality as The Sleepy Ridge signs. Mr. Wilson replied that he did not know if they were. He said that they were yellow, which was not a regulatory sign color, which was white. There was a discussion about the signs and costs. Councilmember Riley asked if they were currently moving signs around in Sleepy Ridge. Mr. Wilson replied yes, to track different directions. Mayor Pro Tempore Judd said that, living in The Sleepy Ridge subdivision, people saw the signs at first but now ignored them. He felt that the signs had not made a difference. He said that it was the Sleepy Ridge residents, people in their own neighborhoods, who were speeding.

Councilmember Riley asked if they were pulling consistent data from the Sleepy Ridge signs. Mr. Overson replied that they pulled the data every three or four months before they switched locations. He was willing to send data to anyone who asked for it. There was a discussion about

the benefits of the speed signs. Councilmember Riley felt that it was about human behavior. The minute you took the sign down, people would forget. He felt that they needed to be using the data. The discussion continued.

Councilmember Earnest suggested that they look at either reimbursing the person who purchased the signs and or having two (2) radar signs on Holdaway Road in the ideal locations to help it be as protected as possible for the time being. Councilmember Riley said that other solutions would also be connecting 400 South to Main Street and opening the Center Street overpass to help alleviate the problems on Holdaway Road.

Mayor Pro Tempore Judd asked Councilmember Flake about his thoughts from having been a part of the discussions. Councilmember Flake said that he hoped that the residents understood that this was difficult and not solvable today. He agreed that they should purchase one more sign and place it on Holdaway Road. He said that some of the data coming from those signs indicated speeds of up to 50 miles an hour, coming from the north. He felt that the sign would be helpful but that it would not solve the problem. He also felt that there needed to be a way to stop truck traffic on that road. He felt that they should move the signs around more than every three months.

Resident David Lauret living on Holdaway Road said that Holdaway Road was not the only way to get from the north to the south end of the city. He said that people chose the way that was most convenient. He did not want to wait until someone died to fix the problem. He felt that the city had been taking too long to come up with a solution. He felt that the truck weight limit signs were too small. He also felt that if they put a sign at about 180 South it would make a difference. He said that it was not the neighbors who were speeding, but those people who were late to things. He said that he did not understand why the city could not use the data from signs that were privately owned. They needed more patrolling and more ticketing on their road. He suggested that they post the speed limit well, notify people, and then ticket them when they do not obey the traffic laws. They should at least control the speed. Mayor Pro Tempore Judd clarified that his comment about neighbors was more than just his neighbor to the left or right, but included Vineyard and Orem residents around them.

Mr. McHargue felt from a staff perspective, they had responded to the residents' concerns. They were going to have additional patrols and install radar signs on Holdaway Road. Councilmember Earnest felt that the obvious thing to do was to approve signs for Holdaway Road now. Mayor Pro Tempore Judd asked if there was something lacking in the proposal. Mr. Lauret felt that in the long term Holdaway Road needed to be blocked off. He said that the only way to adjust people's behavior was to make it impossible to for them to go that way. He said that they had asked before and nothing had happened. He said that they had been at this for over six months and they were just starting to see results.

Mayor Pro Tempore Judd asked staff if they had involved a traffic engineer. Councilmember Flake replied no.

Councilmember Riley explained that the man had who purchased the radar signs knew that government worked slowly. He was a man of action and took it upon himself to contact a legitimate vendor that sold to municipalities. There was a discussion about the purchased signs and their usability.

Councilmember Flake said that they had three (3) issues that they needed to address with the signs. They needed: speed signs, large truck signs, and special needs signs. He agreed with the

residents' plan and the city needed to act on it. Councilmember Earnest agreed with Councilmember Flake. Councilmember Riley mentioned that the report stated that the funds were non-budgeted funds. He felt that somewhere they could find \$7,300 to put towards the signs. Mr. McHargue explained that the council needed to make a proposal and give staff direction.

Mayor Pro Tempore Judd was in favor of the speed signs. He felt that it would be an immediate benefit albeit one that would diminish over time. He expressed concern that the request for radars signs would become a common occurrence. Councilmember Riley felt that they would not have another road like Holdaway Road. He mentioned that he walked Holdaway Road every week to force people to pay attention to him, make them slow down, and move over.

Mayor Pro Tempore Judd called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO MOVE FORWARD AND AUTHORIZE STAFF TO LOCATE APPROXIMATELY \$8,000 FOR SIGNS, BASES, AND HARDWARE TO INSTALL TWO (2) SIGNS ALONG HOLDAWAY ROAD. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.3 ► **DISCUSSION AND ACTION - 2020 Meeting Schedule**

City Recorder Pamela Spencer will present the recommended City Council meeting schedule for the 2020 calendar year. The mayor and City Council will take appropriate action.

Ms. Spencer explained that this was standard procedure to approve the next year's City Council meeting calendar.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE 2020 CALENDAR. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

10 **CLOSED SESSION**

No closed session was held.

11 ► **ADJOURNMENT**

Mayor Pro Tempore Judd called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:26 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

There will be a special session on November 19, 2019 to certify the 2019 General Election results and the next regularly scheduled meeting will be on December 11, 2019.

MINUTES APPROVED ON: December 11, 2019

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER