



MINUTES OF A VINEYARD CITY COUNCIL MEETING

This meeting was held electronically through
Zoom with an anchor location at
125 South Main Street, Vineyard, Utah
in the City Council Chambers
December 9, 2020 at 6:01 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd

Absent

Councilmember Cristy Welsh

Staff Present: City Manager Jacob McHargue, Assistant Public Works Director Chris Wilson, City Attorney Jayme Blakesley, Community Development Director Morgan Brim, City Planner Briam Amaya Perez, Planning Technician Cache Hancey, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Water/Parks Manager Sullivan Love, City Recorder Pamela Spencer, Human Resource Consultant Albert Foster, Planning Commission Chair Anthony Jenkins, Planning Commissioners Bryce Brady

Other Speaking: Congressman-elect Burgess Owens and Nathaniel Johnson, District Director for Congressman-elect Owens

REGULAR SESSION

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

Mayor Fullmer opened the City Council meeting at 6:01 PM. Councilmember Judd led the Pledge of Allegiance and gave the invocation.

-  Mayor Fullmer introduced Congressman-elect Burgess Owens.

Congressman-elect Owens gave a brief outline of why he ran for office and the things he would like to accomplish during his term in office. He said that he would “hustle” for the state of Utah just as he had when he played football. Nathaniel Johnson introduced himself as the District Director for Congressman-elect Owens. Congressman-elect Owens said that he hoped to be a resource for the city. Mayor Fullmer mentioned that the city was facing federal issues and hoped he could help.

Mayor Fullmer asked if the City Council or staff had any questions for Congressman-elect Owens. The councilmembers and staff expressed their gratitude for the congressman-elect's willingness to serve the city. Mayor Fullmer invited Congressman-elect Owens to take a tour of the city.

Mr. Brim asked Congressman-elect Owens about his thoughts on economic development and getting small businesses back on track. Congressman-elect Owens replied that he felt that the middle class was under attack by the government shutting down small businesses and that they needed have conversations about how to make the free market work.

Mayor Fullmer thanked Congressman-elect Owens for attending the meeting.

Congressman-elect Owens said that when the Raiders won football games, it was because they were supportive of each other. He felt that Utah had men who were “all-in” to make sure Utah was a great state.

2. PUBLIC COMMENTS

City Recorder Pamela Spencer read two public comments.

- Resident Alisha Sabin living in the Sleepy Ridge subdivision provided recommendations for amending the Municipal Code
 - Section 10.04.040 Unlawful Parking – suggestion – shortening the time allowed to park recreational vehicles, etc., on the street, from 48 hours to 24 hours.
 - 15.34.100 Parking Requirements of Private Recreational Vehicles in Residential Zoning Districts – suggestions – removing the requirements “screened from front yards” and “located in a detached or attached garage or other accessory building.” Adding that it shall not obstruct a roadway or sidewalk. She suggested that wording could be added that the recreational vehicle shall not be more forward than the most forward portion of the house. She also suggested the wording be changed from “may” to “shall” as to not confuse the public. She said that the city needed to take into consideration safety, how the homes were built in this subdivision before the 2015 code amendment, and private property rights. She felt that the current code was unreasonable and should be amended.
- Resident Tim Blackburn living in the Sleepy Ridge subdivision said that his comments were in response to a group letter (Ms. Sabin’s comments.) He explained that when the Homeowners Association (HOA) was disbanded in The Sleepy Ridge subdivision, the city had promised the residents that any existing city code covering the same items in the HOA would be enforced.

Mayor Fullmer explained that these public comments were referring to trailers that needed to be shielded from the public eye. She said that there had been complaints from residents, about trailers parked in driveways and on the streets. Several of the residents in the Sleepy Ridge subdivision and some of the Waters Edge subdivisions felt that the code was too restrictive and did not allow them to use their property practically. She said that they needed to decide how they wanted to proceed. She clarified that she had received about 30 comments and had asked the group to write one letter (Ms. Sabin’s comments). She also clarified that the comment from Mr. Blackburn was about the Covenants, Conditions, and Restrictions (CC&Rs) in the HOA that were not being met at that time. She said that the city had said that anything that was public in the CC&Rs would be enforced so they were not doubling up on the code.

Mayor Fullmer called for comments from the council.

Councilmember Earnest stated that he was comfortable with the look and feel of unshielded boats and trailers, etc., if they were set back and in line with the home. He mentioned that there was a serious issue with trailers, etc., being stolen in that area. He felt that it was not the city's job to tell people what to do with their private property. Mayor Fullmer suggested having staff research the issue further and come back with options.

Councilmember Judd said that he wanted to hear the Planning Commission's thoughts. Mr. Brim said that he needed to know if the council wanted the residents to file the application or for it to be a city-initiated amendment. There was a discussion about the code timeline. Councilmember Judd asked how often the Planning Commission looked at the code. Mayor Fullmer clarified that someone had made a lot of complaints about the homes and they were now under the code enforcement process. Councilmember Judd felt that it should go through the Planning Commission for a recommendation. Mr. Brim explained that they were constantly updating the zoning ordinance. Mayor Fullmer said that she supported having staff look at the recommendation.

Mayor Fullmer asked if this would stall any code enforcement until the Planning Commission had looked at the code and made recommendations. Mr. Brim suggested that they could put the discussion on the first Planning Commission agenda in January. Councilmember Flake felt that it was reasonable that they suspend the current code enforcement until staff and the Planning Commission had time to review it. Mr. Brim clarified, for the public, that the only code enforcement piece that would be suspended was the screening of the vehicles.

Mr. McHargue mentioned that there were residents in the Lakefront development who had expressed concern with the parking restrictions on 300 West in front of their development.

Mayor Fullmer mentioned that the residents of the Bridgeport subdivision had met with staff about their parking issues and were not in favor of the options that were made available to them. Mr. McHargue said that he had suggested that they could restrict overnight parking, if they chose to do so, until they could come up with a different solution to the problem. He said that there would be additional parking enforcement from the Sheriff's Office, and the city could (if the weather holds) paint the curbs red in front of the fire hydrants.

Mayor Fullmer closed the public comment session.

3. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Mayor Fullmer reported that there was a conversation at the county level in regard to the county's conservation efforts for Bridal Veil Falls. She mentioned that the Utah County Commission was discussing it in their commission meeting today and did not know the outcome. She mentioned that she had posted the management plan by presented by the county's Public Works Department. She gave a brief overview of the plan.

Mayor Fullmer asked for an update about the Utah Department of Transportation's (UDOT) wording changes being sent to Union Pacific Railroad (UPRR) ensuring that the timelines were met so that the city would not be in breach of contract on rail spur removal project. City Attorney Jayme Blakesley explained that he was expecting comments back by Friday. He also explained that, according to the agreement, Vineyard would be responsible for the costs, but UDOT would be doing the construction on the rail spur. He said that the concern was if the timeframes were too compressed and would cause problems for UDOT.

Mayor Fullmer reported that the FrontRunner station was on schedule to be completed in August 2021. She said that there had been an issue with the Army Corp of Engineers wanting more from UDOT's land bank than originally agreed upon.

Mayor Fullmer reported that the Center Street Overpass grand opening was scheduled for Saturday, December 19 at 10:00 AM. She said that there would be a ribbon cutting followed by a bike ride or walk with Santa Claus. She said some of the key speakers would be former Councilmember Nathan Riley and former Mayor Randy Farnworth. She mentioned that the grand opening could be viewed live through Facebook.

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

4.1 ► City Manager Jacob McHargue – Quarterly Budget Report – Mr. McHargue had mentioned earlier that the quarterly report had been given during a meeting in September. He reported that the staff Christmas event had been a success.

4.2 ► City Planner Briam Amaya Perez – Quarterly Code Enforcement Report -

Mayor Fullmer turned the time over to Mr. Amaya Perez

Mr. Amaya Perez presented the council with a spreadsheet showing a breakdown of the code enforcement issues that he had received from August forward, by type and department. He mentioned that they tried to resolve them as quickly as possible. He said that they had received 149 unique complaints. He mentioned that complaints tended to slow down in the months of December, January, and February and picked up starting in March. He said that they received complaints about animal control, garbage, lighting, noise, and zoning, etc. He said that the biggest categories were parking, other (parks-related), and weeds. He said that the Planning Department was able to resolve 54 of the complaints and the other departments were law enforcement and parks. He said that 25 of the complaints that they were not able to complete or resolve were because of staffing issues and time constraints. He thanked law enforcement and the Parks Department for their timely manner in following up on the complaints sent to them.

Mr. Amaya Perez reported that the top five neighborhoods for complaints were Sleepy Ridge, Le Cheminant, Cascade, The Springs, and Vineyard Grove Park.

Mr. Amaya Perez reported that they were able to address 83 percent of the 149 complaints. He gave a breakdown of the complaints:

- 125 complaints addressed
 - 20 became official code enforcement cases
 - 8 of the 20 had been resolved
 - 12 of the 20 were still in the process of being resolved.

Mr. Amaya Perez gave a breakdown of the official code enforcement cases. He explained that many of the cases had been resolved through code enforcement letters. He mentioned that the new city attorney had been helpful in the code enforcement process. He added that they were in the process of training the new planning technician to help with code enforcement.

5. ► CONSENT ITEMS

5.1 Approval of the November 11, 2020 City Council Meeting Minutes

5.2 Approval of the November 24, 2020 City Council Special Session

- 5.3 Approval of Resolution 2020-20 Ranked Choice Voting Pilot Project Approval
- 5.4 Approval of the Assemble Contract
- 5.5 Approval of the Aquatic Resource Delineation Contract
- 5.6 Approval of Bike and Skate Park Master Design Plan Services
- 5.7 Approval of the Facil HR Contract

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE CONSENT ITEMS 5.1 THROUGH 5.7. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER WELSH WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

6. **MAYOR'S APPOINTMENTS**

Planning Commission 1 vacancy
Mayor Fullmer will reappoint, with the advice and consent of the City Council, Bryce Brady to the Planning Commission.

Mayor Fullmer explained that she wanted to reappoint Bryce Brady to the Planning Commission. She called for comments or a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO CONFIRM THE APPOINTMENT AS NOTED. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER WELSH WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

7. **DISCUSSION/PRESENTATIONS**

No items were submitted.

8. **BUSINESS ITEMS**

8.1 **PUBLIC HEARING – Zoning Text Amendment 15.34.030 Accessory Buildings, 15.12 Establishment of Districts and Zoning Tables and 15.34.150 Home Occupations (Ordinance 2020-16)**

(This item was continued from the November 11, 2020 City Council Meeting. A Public hearing was held on this item at the November 11, 2020 City Council meeting and is still open.)

Community Development Director Morgan Brim will present an ordinance which proposes adding provisions allowing accessory structures to be used with approved home occupations, allowing detached accessory structures within established side/front yard areas of a single-family zoned lot and clarifies setback requirements for residential swimming pools. The mayor and City Council will act to adopt (or deny) this request by Ordinance.

Mayor Fullmer asked the council if they had any further concerns with the ordinance.

Mr. Brim gave a brief update on the changes to the front yard parking coverage section of the

code. He said the code now referenced 65 percent for parking coverage regardless if it was a detached or attached garage. He said that he added additional wording to clarify the setbacks.

Mayor Fullmer called for public comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:09 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER WELSH WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for further discussion or a motion.

Councilmember Judd asked if Mr. Brim felt comfortable that the changes met Councilmember Welsh's concerns. Mr. Brim that he had spoken with her before the meeting and she felt comfortable with the changes.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE PROPOSED ZONING ORDINANCE 2020-16. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER WELSH WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.2 ► DISCUSSION AND ACTION – Water System Design Build Out Contract

Assistant Public Works Director Chris Wilson will present the water system design build out contract with Hansen, Allen & Luce, Inc. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Assistant Public Works Director Chris Wilson.

Mr. Wilson explained that the city was required, by law, to have a water storage system. He said that staff had been working with Orem City and Central Utah Water to come up with a location for a water storage tank. They had also been looking at how big they needed to build the tank. He said that at build-out they would need anywhere from eight to 10 million gallons of water storage, but they currently only needed about six million gallons. The options that they had looked at were doing a shared storage tank with Orem City or building their own. They found that the Orem site would not be going to give the city the elevations they needed, so they looked at locations in Vineyard. Two of the Vineyard locations were Vineyard Grove Park and the Public Works yard, and they found that the Public Works yard would accommodate the tank. Staff was now ready to have the water master plan updated and to have the water tank, pump station, meter station, and pipeline designed. He said that Hansen, Allen & Luce had presented three tasks to accommodate the city at build-out. He mentioned that not everything would be constructed at this time. He said that staff was requesting that the council approve the contracts that had been prepared by Hansen, Allen & Luce, Inc. He showed a concept of the tank at the location on the Public Works property. He mentioned that six million gallons should last the city between five and 10 years. He felt that they should get what they needed built now and then review the need as development came in.

Mr. McHargue mentioned that the design contract costs were included in the initial cost estimates allocated in the budget. He added that they were working on getting some low-interest water revenue bonds to free up some of the RDA money.

Councilmember Earnest asked if the storage tank was a backup in the event of an emergency. Mr. Wilson explained that the tank was like a bucket to store the water until you needed it. Mr. McHargue said that there were peaks and valleys in how much water the whole city was using and they needed to store the water to even them out.

Councilmember Earnest asked if they could store more water now in anticipation of the city's future needs. Mr. Wilson replied that part of the design was to look at the cost and the expandability of the tank. Mr. McHargue mentioned that they would bring the final figures back to council. Councilmember Earnest asked if the costs presented tonight were just for the design. Mr. McHargue replied that it would also include engineering work throughout the construction process.

Mayor Fullmer called for a motion.

Councilmember Judd expressed concern with the look of the tank because it would be the first thing people saw as they came into the town center on FrontRunner. Mr. Wilson showed an example of other tanks that Hansen, Allen & Luce had designed. There was a discussion about the design.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE CITY STAFF TO CONTRACT WITH HANSEN, ALLEN & LUCE ENGINEERS TO COMPLETE THE THREE ATTACHED TASKS TO COMPLETE THE CULINARY WATER SYSTEM BUILD OUT AS PROPOSED. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER WELSH WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9. CLOSED SESSION

No closed session was held.

10. ADJOURNMENT

Mayor Fullmer 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 FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER WELSH WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is January 13, 2020.

MINUTES APPROVED ON: January 13, 2021

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