



**MINUTES OF A MEETING
OF THE VINEYARD CITY COUNCIL
June 23, 2021 at 6:00 PM
City Council Chambers
125 South Main Street, Vineyard, Utah**

Present

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

Absent

Staff Present: City Manager Jacob McHargue, City Attorney Jayme Blakesley, Building Official George Reid, City Engineer Naseem Ghandour, Assistant Public Works Director Chris Wilson, Deputy Chad Stilson with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planner Briam Perez, Water Manager Sullivan Love, Parks Manager Preston Jensen, City Recorder Pamela Spencer, Deputy Recorder Kelly Kloepper, Planning Commission Chair Bryce Brady, Planning Commissioner Amber Rasmussen

Others speaking: Resident Claudia Lauret

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

Mayor Fullmer opened the meeting at 6:00 PM. Councilmember Welsh gave the invocation and led the Pledge of Allegiance.

WORK SESSION

2. No items were submitted.

REGULAR SESSION

3. PUBLIC COMMENTS

Resident Claudia Lauret asked what needed to be done to get an abandoned RV and truck removed. She also reported that the two privately-owned flashing speed signs on Holdaway Road were not in working order and requested the city's help.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

- ▶ Councilmember Welsh reported that she attended the community garden grand opening today and invited Planning Commissioner Amber Rasmussen to comment.
- ▶ Planning Commissioner Amber Rasmussen reported on the community garden. Mayor Fullmer commented that it was a great partnership with Orem Community Hospital.
- ▶ Councilmember Flake reported on the recent Utah Lake Commission meeting he had attended. He urged residents to conserve water and to prioritize watering trees over grass.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

- 5.1 ▶ City Manager Jacob McHargue reported that the city contracted with the Utah County Health Department for mosquito abatement, as well as with a local company to spray the parks. The city had increased the mosquito abatement budget over last year. He added that the Utah County website had more information.
- 5.2 ▶ Planning Commission Chair Bryce Brady reported on the Zoning Text Amendment for Accessory Dwelling Units and the 4Life Preliminary and Final Plat, both of which were on the agenda for tonight.
- 5.3 ▶ Water Manager Sullivan Love presented two awards from the International Society of Arboriculture (ISA) - Utah Chapter: Citizen Forester of the Year Award to Councilmember Tyce Flake, and the Community of the Year award to Vineyard City.

6. ▶ CONSENT ITEMS

- 6.1 [Approval of the June 9, 2021 City Council Meeting Minutes](#)
- 6.2 [Approval of a Special Event Permit – Rex Real Estate](#)
- 6.3 [Approval of the Lochs at Waters Edge Final Plat E](#)

Mayor Fullmer called for a motion.

▶ **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE THE CONSENT ITEMS 6.1 THROUGH 6.3. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

7. MAYOR'S APPOINTMENTS

No names were submitted.

8. DISCUSSION/PRESENTATIONS

No items were submitted.

9. BUSINESS ITEMS

9.1 ► **DISCUSSION AND ACTION – Fireworks Restrictions**

City Manager Jacob McHargue will present suggestions for fireworks restrictions in the city. The mayor and City Council will take appropriate action.

Mr. McHargue showed a map and explained the new restrictions, which included a 200-foot buffer and would be along the entire lakeshore, the wetlands to the east of City Hall, and the wetlands adjacent to Grove Park.

There was a discussion about potentially restricting firearm use in those areas because of the fire hazard as well.

Mayor Fullmer called for a motion.

► **Motion:** COUNCILMEMBER EARNEST MOVED TO ENACT THE FIREWORKS RESTRICTIONS BASED ON THE MAP THAT STAFF HAS PROVIDED. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.2 ► **DISCUSSION – Drought**

City Manager Jacob McHargue will lead a discussion about the city's response to the drought conditions. The mayor and City Council will take appropriate action.

There was a discussion about water usage in Vineyard and ways to conserve water, such as changing park strips to rocks, identifying leaks, etc.

They discussed identifying high-impact areas such as the parks and soccer fields and to consider adopting long-term conservation policies to lower water usage, and they agreed that they did not want residents to shame their neighbors.

9.3 ► **DISCUSSION AND ACTION – Projector Purchase**

Councilmember Welsh will present costs for the purchase of a projector for the summer movies in the park series. The mayor and City Council will take appropriate action.

Councilmember Welsh presented the proposal to purchase a projector for \$3,000 instead of continuing to rent one, and a discussion followed.

Mayor Fullmer called for a motion.

► **Motion:** COUNCILMEMBER EARNEST MOVED TO ENGAGE THE PROJECTOR PLAN TO PURCHASE FOR LONG TERM SUMMER MOVIE NIGHTS. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.4 ► DISCUSSION AND ACTION – Adopt the Certified Tax Rate (Resolution 2021-14)

City Manager Jacob McHargue will present the certified tax rate. The mayor and city council will act to adopt (or deny) this request by resolution.

Mr. McHargue explained how the certified tax rates were set.

Mayor Fullmer called for a motion.

► **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE AND ACCEPT THE CERTIFIED TAX RATE WITH RESOLUTION 2021-14. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.5 ► PUBLIC HEARING – Amending the Fiscal Year 2020-2021 Budget (Resolution 2021-15)

City Manager Jacob McHargue will present proposed amendments to the FY2021 Budget. The mayor and city council will act to adopt (or deny) this request by resolution.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 6:52 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Mr. McHargue presented the amendments to the budget.

Motion: COUNCILMEMBER WELSH MOVED TO CLOSE THE PUBLIC HEARING AT 6:55 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

There was a discussion about the increase in the Sheriff's budget. Deputy Stilson explained that they were a little short on staff, so overtime budget was a little higher than it normally would be.

► **Motion:** COUNCILMEMBER JUDD MOVED TO ADOPT BY RESOLUTION 2021-15 THE FISCAL YEAR 2021 FINAL BUDGET AMENDMENT AS PRESENTED BY STAFF. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.6 ► PUBLIC HEARING – Zoning Text Amendment (ZTA) Accessory Dwelling Units (Ordinance 2021-03)

Community Development Director Morgan Brim will present city initiated code amendments to VZC 15.34.060 Accessory Dwelling Units as it relates to code updates aligning with recent Utah State Code changes. The mayor and City Council will act to adopt (or deny) this request by ordinance.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 6:57 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Mr. Brim explained the amendments that were to bring the Zoning Code into compliance with recent changes in the state code because of HB 82.

Motion: COUNCILMEMBER EARNEST MOVED TO CLOSE THE PUBLIC HEARING AT 7:01 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

A discussion ensued, and Mr. Brim clarified that the owner would still need to live in the house, but was no longer required to live in the upstairs portion. There was still a limitation of only one door facing the front yard. Councilmember Judd expressed frustration with the state's overreach. Councilmember Welsh agreed and felt that what the state did was inappropriate. Mayor Fullmer mentioned that the city's code was less restrictive than the state's code. She said the city would continue to reach out to our legislatures and make them aware of what the city was doing. She felt that the best government body to make these decisions was the one that was closest to the resident.

► **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2021-03 ACCESSORY DWELLING UNITS. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.7 ► DISCUSSION AND ACTION - Preliminary and Final Plat 4 Life Expansion

City Planner Briam Perez will present a preliminary and final plat for the 4 Life building expansion, Parcel ID 38:424:0015. The mayor and city council will take appropriate action.

Mr. Perez presented the Plat and explained the reason that the 4Life business needed to expand. He reviewed the location and the stipulations. He stated that the Planning Commission had recommended approval. There was a discussion about the plat.

► **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE PRELIMINARY AND FINAL PLAT THAT WAS REQUESTED BY 4LIFE PROPERTIES LLC WITH THE PROPOSED CONDITIONS:

1. THE APPLICANT MUST SUBMIT PRELIMINARY AND FINAL PLAT DOCUMENTS THAT MEET ALL THE REQUIREMENTS OF THE VINEYARD SUBDIVISION CODE. THIS MUST BE DONE BEFORE PRINTING THE MYLAR

FOR RECORDING.

2. THE APPLICANT PAYS ANY OUTSTANDING FEES AND MAKES ANY REDLINE CORRECTIONS.
3. THE APPLICANT IS SUBJECT TO ALL FEDERAL, STATE, AND LOCAL LAWS. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.8 ► DISCUSSION AND ACTION – Amending Municipal Code 8.08.010(C)(2)(p)(8) Declaration of a Nuisance (Ordinance 2021-04)

City Building Official George Reid will present an ordinance amending the Municipal Code 8.08.010 Nuisances Generally, to add an exception for extreme temperatures to the construction noise code. The mayor and City Council will act to adopt (or deny) this request by ordinance.

Mr. Reid reported that he had received requests from contractors for extended work hours and presented the amendment to the code. He specified that this was only for construction noise. Mayor Fullmer stated for the record that the hours had been extended by only one hour and construction vehicles coming out at 5:30 in the morning would not fall under this amendment. This amendment did not include industrial lawnmowers.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT THE NEW DECLARATION OF A NUISANCE ORDINANCE, 2021-04. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.9 ► DISCUSSION AND ACTION – Utah Valley Home Builders Association Lease Agreement

City Manager Jacob McHargue will present the agreement for the lease of office space in the Utah Valley Homebuilder's Association (UVHBA) building. The mayor and City Council will take appropriate action.

Mr. McHargue gave a brief history of the city offices. He stated that it would be a couple of years before a building could be built in Vineyard Downtown. He explained the lease agreement. The departments moving to the UVHBA building would be the Planning, Engineering, Public Works, and Building departments. There was a brief discussion about the lease agreement and other options.

► **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE LEASE AGREEMENT WITH THE UTAH VALLEY HOMEBUILDERS ASSOCIATION AND ALLOW THE MAYOR TO SIGN THE AGREEMENT. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:27 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: July 14, 2021

CERTIFIED CORRECT BY: /s/Pamela Spencer

PAMELA SPENCER, CITY RECORDER