



MINUTES OF A REGULAR CITY COUNCIL MEETING

City Council Chambers
125 South Main Street, Vineyard, Utah
December 14, 2022, at 4:00 PM

Present

Mayor Julie Fullmer
Councilmember Tyce Flake
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes
Councilmember Cristy Welsh

Absent

Staff present: City Manager Ezra Nair, Finance Director David Mortensen, City Attorney Jayme Blakesley, Public Works Director Naseem Ghandour, Engineer Emily Kofoed, Interim Chief Building Official Cris Johnson, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planner Cache Hancey, Water Manager Sullivan Love, Wastewater Operator Clinton Roundy, Communications Manager Kathryn Newman, CTC Coordinator Jessica Maxwell, City Recorder Pamela Spencer

Others Speaking: Residents Randy Gray, Tim Blackburn, and Graden Ostler; Youth Councilmembers Alexa Dadson and Lizzy Zavala

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

► Mayor Fullmer opened the meeting at 4:00 PM. Councilmember Flake gave the invocation and led the Pledge of Allegiance.

2. WORK SESSION

2.1 Emergency Preparedness Plan

Councilmember Flake will present a draft of the city's Emergency Preparedness Plan.

- Mayor Fullmer turned the time over to Councilmember Flake.
- Councilmember Flake reviewed the Emergency Preparedness Plan. He mentioned that they city would start training staff in January and February.
- Mayor Fullmer called for questions or comments from the council. Councilmember Flake requested that they submit any suggested changes to him before the end of the year.

3. PUBLIC COMMENTS

- ▶ Mayor Fullmer called for public comments.
- ▶ Resident Randy Gray, living in The Leisure Villas subdivision, expressed concerns with sex offender restrictions in Utah State Code Section 77-27-21.7 that became effective in 2020. He noted that his subdivision had three (3) registered sex offenders. He gave his professional background on this subject. He felt that the state needed stricter laws. He concluded that there were over 7800 sex offenders in Utah, of which 3600 were no longer under supervision. He asked the City Council to reach out to their State Legislators about this issue. There was a brief discussion about the state code.
- ▶ Mr. Gray added that residents living in The Villas were appreciative of the city enacting parking restrictions in their neighborhood. Mayor Fullmer explained that the city had reviewed every neighborhood to address parking concerns. She stated that, by working together with community members, they had implemented plans that have corrected a lot of the problems and that the city was continuing to work on it. She added that because parking was complex given the different needs of neighborhoods, school zones, new developments being built, etc., the city wanted ongoing suggestions and feedback from the public to stay on top of parking concerns.
- ▶ Mayor Fullmer called for further public comments. Hearing none, she closed the public comment session.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

- ▶ Councilmember Flake reported that he had attended the last legislative policy committee meeting for the year. He said that they had approved a proposed bill that would make railroads responsible for the cost of any improvements that cities needed to make to infrastructure. Mayor Fullmer added that there were other bills to help with safety of railroad crossings and rights-of-way. Councilmember Flake reported that the Utah League of Cities and Towns (ULCT) had come to a deadlock with the land rights committee regarding low-income housing, etc. There was a discussion about the land rights legislation.
- ▶ Councilmember Flake noted that there were bills dealing with water and property tax that had been taken off the table and they were proposing to do a two-year, state-wide study on water use. Mayor Fullmer added that the accessory dwelling units (ADU) and short-term rental bills were coming back and suggested they get ahead of those bills. There was a discussion about the bills. Councilmember Flake mentioned a bill for allowing road maintenance fees to be collected at the state level and then the money would be handed down to the cities in appropriate shares. There was a discussion about the bill.
- ▶ Councilmember Rasmussen reported that she had attended a lunch with ULCT about cyber security and the threat it posed to communities. She reported that the city had hosted a successful youth coding class last week. She attended a Multi-Cultural Night with the Utah Valley Refugees non-profit organization and discussed some of the barriers to their success. She mentioned that there were some senior help guides, produced by Mountainland Association of Governments (MAG), available at the city offices. Mr. Brim mentioned that the city had attended a tour of the Wasatch Resource Recovery Center.
- ▶ Mayor Fullmer presented former Planning Commissioner Tim Blackburn with a plaque and thanked him for his service on the commission. Mr. Blackburn thanked the city for allowing him

to serve on the Planning Commission and gave a few thoughts on his service. Mr. Brim also gave a few thoughts.

► Councilmember Sifuentes reported that the children's library had been doing well and that they were accepting applications for appointments to the Library Board. She thanked the staff for their efforts. She said that the Recreation Department's bingo activity with the kids went well. She reported that the Alpine School District would be sending out notifications to the district about realigning school boundaries and that she would be watching the results.

► Councilmember Welsh reported that Topgolf had opened and wanted to thank everyone who was involved in the project. She asked the council to review the Active Transportation Plan before the meeting in January. She mentioned that the Corridor Plan would be coming to council at the end of January or early February. She asked Vineyard Youth Council Mayor Alexa Dadson to introduce their food drive.

► Miss Dadson mentioned that the Youth Council would be holding a food drive to coincide with Mountainland Association of Governments' (MAG) drive from December 15 through the 22nd.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 ► City Manager Ezra Nair reported that Topgolf and a sushi restaurant had opened in The Yard development. He said that the city had been awarded a \$1 million grant from the state for the water tank and pipeline project and that they were also able to help Orem City obtain a grant for their wastewater reclamation project. He introduced Clinton Roundy, the new wastewater operator. Mr. Roundy thanked the city for the job opportunity. Mr. Nair thanked the snow removal team for their hard work to keep the city safe. He reported that the Utah Department of Transportation (UDOT) was moving forward with the Vineyard Connector extension project. He said that the city had presented to the Housing And Transit Reinvestment Zone (HTRZ) committee at the state where they received a unanimous vote and praise from the state for the city's work.

5.2 ► Planning Commission Chair Bryce Brady was excused. Mr. Brim reported that the Planning Commission had approved a site plan at The Yard development. He mentioned that the public hearing for noticing legislation had been continued to the first meeting in January. He added that X Development had presented their mixed-use building that would be built next to Topgolf.

6. CONSENT ITEMS

6.1 Approval of the November 9, 2022, City Council Meeting Minutes

6.2 Approval of Dedication of 1600 N Roadway (Lindon Parcel) (Resolution 2022-53)

6.3 Approval of Award Contract – GIS Consultant (Resolution 2022-54)

6.4 Approval of an Increase to the Staffing Plan

6.5 Authorize the City Manager to approve an Impact Fee Agreement and Memorandum of Understanding with X Development

6.6 Authorizing the City Manager to File a Notice Regarding HTRZ with the County Recorder and County Officials (Resolution 2022-58)

6.7 Adoption of Amendments to Resolution 2022-50, Parking Permit Program

► Mayor Fullmer called for a motion. There was a discussion about the motion for Consent Item 6.2.

► **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE CONSENT ITEMS AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

7. APPOINTMENTS

7.1 Planning Commission

With the advice and consent of the City Council, Mayor Fullmer will appoint Craig Bown and reappoint Tay Gudmundson as sitting members of the Planning Commission. Mayor Fullmer will also appoint two new alternate members to the Planning Commission. These appointments will be effective January 1, 2023.

► Mayor Fullmer reviewed the appointments and called for a motion. She added the appointment of Graden Ostler.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE THE MAYOR'S APPOINTMENTS AS PRESENTED. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

► Mr. Ostler introduced himself.

7.2 Vineyard Bicycle Commission

With the advice and consent of the City Council, Mayor Fullmer will appoint members to the Vineyard Bicycle Commission.

► Mayor Fullmer appointed Jordan Christensen and Elizabeth Hart and then called for a motion.

► **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE MAYOR'S APPOINTMENTS AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

7.3 Vineyard Youth Council

With the advice and consent of the City Council, Mayor Fullmer will appoint Lizzy Zavala as the Vineyard Youth Council City Manager.

► Mayor Fullmer reviewed the appointment and called for a motion.

► Ms. Zavala introduced herself.

► **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE MAYOR'S APPOINTMENTS AS PRESENTED. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

► The appointees present were sworn in by City Recorder Pamela Spencer.

8. PRESENTATIONS/RECOGNITIONS/AWARDS

No items were submitted.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Communities That Care Commission (Ordinance 2022-20)

Communications Manager Kathryn Newman will present a recommendation to add a Communities that Care Commission to the Municipal Code; adding Section 2.30.030. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer turned the time over to Communications Manager Kathryn Newman.

► Ms. Newman reviewed the ordinance creating the Communities That Care Commission.

► Mayor Fullmer called for questions from the council. There was a brief discussion about the CTC Coordinator position.

► Mayor Fullmer called for a motion.

► **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO ADOPT ORDINANCE 2022-20, ADDING A COMMUNITIES THAT CARE COMMISSION TO THE MUNICIPAL CODE SECTION 2.30.030. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.2 DISCUSSION AND ACTION – Parking Permit Program for 300 West

City Planner Cache Hancey will present a recommendation for a parking permit program on 300 West near the Lakefront development. The mayor and City Council will take appropriate action. *(This item was continued from the November 9, 2022 City Council meeting.)*

► Mayor Fullmer explained that the city was still working with the homeowners association board. A discussion ensued.

► Mayor Fullmer called for a motion to table the item.

► **Motion:** COUNCILMEMBER WELSH MOVED TO TABLE BUSINESS ITEM 9.2, PARKING PERMIT PROGRAM FOR 300 WEST. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.3 PUBLIC HEARING – Zoning Text Amendment – Public Noticing

(This item is being continued to the January 11, 2023 City Council meeting pending a recommendation from the Planning Commission.)

Rachel Stevens will present recommendations for Zoning Text amendments to the following sections 15.18.020 Required Notice of Public Hearing and Public Meetings; 15.18.030 Required Notice of Public Hearing and Public Meetings on Adoption or Amendments of Land Use Ordinances, including This Ordinance and Zoning District Map; 15.18.040 Required Notice for Other Public Hearings; 15.18.050 Required Notice for Other Public Meetings; 15.18.090 Courtesy Notice. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer called for a motion to go into a public hearing.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO GO INTO A PUBLIC HEARING AT 5:12 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

► There was a brief discussion about continuing this item.

► **Motion:** COUNCILMEMBER WELSH MOVED TO CONTINUE ITEM 9.3 ZONING TEXT AMENDMENT, PUBLIC NOTICING TO THE JANUARY 11, 2023 CITY COUNCIL MEETING.

There was a brief discussion about the motion.

COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.4 DISCUSSION AND ACTION – Purchase of Water Shares (Resolution 2022-55)

Public Works Director Naseem Ghandour will present an agreement for the purchase of water shares in the Lake Bottom Irrigation Company. The mayor and City Council will act to adopt (or deny) this request by resolution.

► Mayor Fullmer turned the time over to Public Works Director Naseem Ghandour.

► Mr. Ghandour explained that the resolution was for the purchase of water shares for irrigation water to help offset the culinary water use.

► Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.

► Councilmember Flake stated his gratitude for the purchase of the water shares. Councilmember Welsh asked which budget the money would come from. Mr. Ghandour replied that would come from the water impact fee budget.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE RESOLUTION 2022-55 TO ALLOW THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MR. AND MRS. COOK TO PURCHASE THEIR FOUR (4) SHARES OF WATER STOCK FROM THE LAKE BOTTOM IRRIGATION COMPANY AT A TOTAL COST OF ONE HUNDRED AND FORTY THOUSAND DOLLARS (\$140,000). COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.5 DISCUSSION AND ACTION – Water Shares Purchasing Policy (Resolution 2022-56)

Public Works Director Naseem Ghandour will present a water shares purchase policy. The mayor and City Council will act to adopt (or deny) this policy by resolution.

► Mayor Fullmer turned the time over to Public Works Director Naseem Ghandour.

► Mr. Ghandour explained the reasons for recommending the city have a water share purchasing policy in place. He stated that purchasing of water shares was a time-sensitive act and this resolution would help speed up the purchase process.

► Mayor Fullmer called for questions from the council.

► Councilmember Flake noted that water was a finite resource and the city had missed out on water shares in the past, so this was vital.

► **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT RESOLUTION 2022-56 ALLOWING THE CITY MANAGER THE ONGOING AUTHORITY TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF SHARES OF WATER STOCK AT OR BELOW FAIR MARKET VALUE. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.6 PUBLIC HEARING – Consolidated Fee Schedule Amendment (Resolution 2022-57)

Finance Director David Mortensen will present amendments to the Consolidated Fee Schedule for inspections, plan reviews, and recreation fees. 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 SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 5:20 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- ▶ Mayor Fullmer turned the time over to Finance Director David Mortensen.
- ▶ Mr. Mortensen reviewed the recommended amendments to the Consolidated Fee Schedule.
- ▶ Mayor Fullmer called for public comments.
- ▶ Councilmember Sifuentes asked for clarification on the recreation cancellation fee. There was a discussion about the cancellation fee. Mr. Blakesley explained that there were strict state procedures on fees, and they were adopting the maximum amount that they could charge.
- ▶ 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 5:23PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
- ▶ Mayor Fullmer called for a motion.
- ▶ **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT RESOLUTION 2022-57, THE AMENDED CONSOLIDATED FEE SCHEDULE, AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. 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 SIFUENTES MOVED TO ADJOURN THE MEETING AT 5:24 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: January 11, 2023

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