MINUTES OF A REGULAR
CITY COUNCIL MEETING
City Council Chambers
125 South Main Street, Vineyard, Utah
January 25, 2023, at 5:30 PM

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

Staff present: City Manager Ezra Nair, Finance Director David Mortensen, City Attorney Jayme Blakesley, Interim Chief Building Official Cris Johnson, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planners Briam Amaya Perez, and Cache Hancey, Water Manager Sullivan Love, City Recorder Pamela Spencer, Human Resources Manager Corrie Steeves, Planning Commissioner Bryce Brady

Others Speaking: Residents Adam Teuscher, Ben Crocket, Chase Wheeler, Amy Smith, and Daria and Russell Evans; Steve Borup and Jeff Gochnour with Dakota Pacific

1. **SITE VISIT – Old Town Hall 240 East Gammon Road**
   The mayor and City Council will meet at the old Town Hall site to initiate the demolition of the buildings on the site.

A site visit took place at 5:30 PM at the old Town Hall site.

REGULAR SESSION

2. **CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE**

▶ Mayor Fullmer opened the regular session at 6:01 PM. Councilmember Sifuentes gave the invocation and led the Pledge of Allegiance.

3. **WORK SESSION**

No items were submitted.

4. **PUBLIC COMMENTS**

▶ Mayor Fullmer opened the public session.

Resident Adam Teuscher, living in the Windsor subdivision, asked the City Council to write a letter to the State Legislator opposing HB 171. He reviewed reasons why he felt that ranked-choice voting was a better voting method. He asked the City Council to also look at HB 176 which added approval voting to the Municipal Alternate Voting Methods Pilot Project code as another voting option. He mentioned that he was part of a group called Utah Approves and offered to do a formal presentation on approval voting.

Ben Crockett, living in the Hampton subdivision, explained the reason behind the movement to add approval voting to the state's pilot project and across the United States.

Chase Wheeler, living in the Lakefront subdivision, asked for the right to park overnight on 300 West. He read statistics on rape in America and Utah. Mayor Fullmer explained the process that the city had undertaken to help alleviate the Lakefront's parking issues. There was a discussion about the process.

City Attorney Jayme Blakesley stated, for the record, that he did not know if Mr. Wheeler's statements relating to safety were really made in good faith. Mr. Blakesley found it troubling that he would try to argue and ask for something that was a convenience to the residents in his neighborhood by making these public safety allegations. He said that, in response to letters from an attorney for the Lakefront Homeowners Association (HOA) and Mr. Wheeler's comments, they had researched to see whether there was any record whatsoever of any variety of sexual crimes or sexual assault in that area, and there was none. The discussion continued. Mr. Nair said that staff was in discussions with the HOA manager and should had have a draft of an agreement by the end of February.

Resident Amy Smith, living in The Windsor subdivision, expressed concerns about adding a crosswalk going to the trail from her house, and a ramp to the trail. There was a discussion about the ramp, trail, and a crosswalk.

Resident Daria Evans, living in the Villas subdivision, thanked staff for the work they had done on the 400 North and Main traffic signal. She requested that Vineyard move forward with getting a full-service grocery store. Mayor Fullmer explained the process to get a grocery store in Vineyard. Ms. Evans said that she hoped that the larger waste can at the Center Street trailhead that she had asked for at the last City Council meeting was in the budget.

Mayor Fullmer called for further comments. Hearing none, she closed the session.

5. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake reported on a few of the bills that were in the Utah State Legislature. There was a discussion about the short-term rental bill.

Councilmember Rasmussen reported that there were a couple of opportunities with the Utah Valley University (UVU) for some fun education. She said that she had received a lot of complaints about unleashed dogs in the city and asked staff to look into it.

Councilmember Welsh reported on Local Officials Day at the Legislature. She addressed a comment about the Utah Transit Authority (UTA) Parking lot by explaining that UTA oversaw the parking lot and was aware of and was monitoring the overnight parking. She mentioned that

the lot would become a parking structure in the future. Lieutenant Rockwell added that the city had added No Parking signs on the road to allow the bus access.

Mayor Fullmer gave an update on the removal of the rail spur along Geneva Road.

6. STAFF, COMMISSION, AND COMMITTEE REPORTS

6.1 City Manager Ezra Nair reported that crews would be starting demolition of the old Town Hall and white house at Gammon Park tomorrow. He mentioned that another contractor would be laying concrete in several areas for additional crosswalks in the city.

7. CONSENT ITEMS

7.1 Approval of the January 11, 2023, City Council Meeting Minutes
7.2 Approval of the Emergency Preparedness Manual (Resolution 2023-01)

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS AS NOTED, 7.1 AND 7.2. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

8. APPOINTMENTS

8.1 Library Board

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

8.2 Communities That Care Commission

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

Mayor Fullmer explained that staff would be updating the code at the next City Council meeting, so the appointments were being postponed until the code changes were approved.

9. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

No items were submitted.

10. BUSINESS ITEMS

10.1 DISCUSSION AND ACTION – Market Study Implementation

Human Resources Manager Corrie Steeves will present a recommended pay plan based on the results of the market study. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Human Resources Manager Corrie Steeves.

- Ms. Steeves gave a summary of the job analysis classification and compensation study that the city had completed through a third-party consultant.

- Mayor Fullmer called for a motion.

- **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE PAY PLAN AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10.2 PUBLIC HEARING – **Amendment to Compensation for Mayor and City Council (Ordinance 2023-03)**

City Manager Ezra Nair will present recommendations for an amendment to the mayor and City Council's compensation. The mayor and City Council will act to adopt (or deny) this request by ordinance. *This is done by Ordinance and requires a roll call vote.*

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

- **Motion:** COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:01 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND RASMUSSEN VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- Mr. Nair explained the process to adjust the mayor and council salaries. He noted the Vineyard had fallen behind the market trend line/rate.

- Mayor Fullmer called for public comments. Councilmember Flake asked Mr. Nair to explain the proposed options.

- Mayor Fullmer asked for clarification on the third option. Mr. Nair explained that the council would still have to go through the public process each year but would allow for the possibility for annual raises.

- 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 7:07 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- Councilmember Flake asked if Option 3 was common. Mr. Nair replied no but felt it would be a great idea. He added that his suggestion would only be a percentage of the General Fund. There was a discussion about Option 3.

- Councilmember Welsh asked when the last time this item had been addressed. Mayor Fullmer explained the process and expressed concerns for future members of the City Council being able to afford day care so they could attend meetings, trainings, appointments, etc. She felt

that addressing this annually would be better for the city. There was a discussion about the increase.

- Mr. Blakesley added a point of order, and explained that if the council elected to adopt a schedule or something that was indexed to a person's compensation or a percentage of the overall budget, they would not have to revisit it year after year. It would be done during the budget approval process. There was a discussion about the process and the options.

- Mr. Blakesley read the suggested motion. "The mayor's compensation would be $30,000 per year and a councilmembers compensation would be $15,000 per year and adopt as a schedule for regular increases, that when a cost of living was adopted through the budgeting process for staff the mayor and councilmembers shall receive that same percentage increase to their annual salary." There was discussion about the suggested motion. There was also a discussion about other cities salaries.

- **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT ORDINANCE 2023-03 WITH THE COMPENSATION AT $30,000 AND $15,000 PER YEAR AND A COST-OF-LIVING ADJUSTMENT BE MADE AT THE SAME PERCENTAGE AS THE COST-OF-LIVING ADJUSTMENT FOR EMPLOYEES OF THE CITY, GENERALLY. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION.

- There was a discussion about the process

- ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10.3 PUBLIC HEARING – <u>Fiscal Year 2022-2023 Budget Amendment (Resolution 2023-02)</u>

Finance Director David Mortensen will present recommended amendments to the Fiscal Year 2022-2023 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 7:28 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- Mr. Mortensen reviewed the recommended budget amendments.

- Mayor Fullmer called for public comments.

- Ms. Evans asked for clarification on the mural on the water tank. Councilmember Welsh explained the project.

- Mayor Fullmer called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:44 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

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

Motion: COUNCILMEMBER WELSH MOVED TO ADOPT RESOLUTION 2023-02; APPROVING THE VINEYARD CITY FISCAL YEAR 2022 – 2023 BUDGET AMENDMENT #1 AS PRESENTED BY STAFF. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10.4 PUBLIC HEARING – <u>Development Agreement for The Forge (Resolution 2023-)</u>

Community Development Director Morgan Brim will present a development agreement for The Forge development. 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 7:45 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

There was a discussion about the public hearing process.

There was additional discussion about the public hearing process.

Mr. Brim reviewed the location of The Forge development and the zoning standards. He also reviewed the primary elements of the development agreement and suggested amendments to the development agreement. He reviewed the Planning Commission's comments.

Mr. Brim turned the time over to Steve Borup and Jeff Gochnour with Dakota Pacific. Mr. Borup reviewed the development agreement, focusing on new or proposed amendments to the development agreement. He reviewed the overall site plan.

Mayor Fullmer called for public comments.

Ms. Evans asked about the size of the hotel, if it would be a full-service hotel, and if it was included in the total residential units. She expressed concern with access to the public safety building. She asked how many of the one, two- and three-bedroom units there would be and how parking would be allowed for each unit. She asked who would be maintaining the amenities. She also asked if the grocery store would be a full-service grocer or a convenience store. She expressed concerns with the look of the parking structure and if it would be visible from the Vineyard Connector and Geneva Road.

Mr. Borup replied that they did not know what the hotel would look like yet and would count as a commercial use. He said that the residential mix would be market driven. The parking for the residential units would be an average with a permit program. The property association would maintain the design features. He added that they did not have a grocery store locked in yet, were actively pursuing grocers. He said that the parking structures would have a wrapped design and be inside the development. Mr. Brim mentioned that staff was working with Orem City Fire on the fire station.

Mayor Fullmer called for further public comments.

Russell Evans gave a recommendation for a type of grocery store. He felt that less housing would be better, and that an excess of parking would be better.

Mayor Fullmer called for further public comments. Hearing none, she asked the council if they wanted to either continue or close the public hearing.

Motion: COUNCILMEMBER WELSH MOVED TO CLOSE THE PUBLIC HEARING AT 8:20 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer called for a motion to continue the discussion.

Motion: COUNCILMEMBER FLAKE MOVED TO CONTINUE ITEM 10.4 DEVELOPMENT AGREEMENT FOR THE FORGE TO A FUTURE CITY COUNCIL MEETING.

Mr. Nair recommended that City Council make their comments now.

Mayor Fullmer stated that she was going to submit her comments after the next Planning Commission meeting. Mr. Brim added that the Planning Commission wanted to hear from the City Council.

Councilmember Sifuentes said that she wanted to get the housing number down, and have more commercial. She said that she was concerned with parking, and the look of the development as people entered the city. She added that this was a big project that the city was excited about but wanted to get it right and get a good balance. Mr. Borup reviewed the guidelines for the frontage and materials used. Mr. Brim suggested that they have different roof lines across the corridor. There was a discussion about the heights.

There was a discussion about the ordinance made years ago for the development. Mr. Brim replied that the agreement was not signed, but the ordinance still stood. The discussion continued. Councilmember Flake expressed his concerns about this development and wanted staff to present a plan for affordable housing. Councilmember Sifuentes added that she was excited about the affordable housing.

Mr. Brim added that there was a request for one of the amenities being internal and for the development to take over maintenance on the north side of 650 North.

- Mr. Borup felt that lowering the percentage of residential square footage would bring it out of balance.

- Mayor Fullmer called for further discussion from the council.

- **Motion:** COUNCILMEMBER FLAKE RESTATED HIS MOTION: I MOVE TO CONTINUE BUSINESS ITEM 10.4 DEVELOPMENT AGREEMENT WITH THE FORGE TO A FUTURE CITY COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- Mayor Fullmer stated that when the city advertised their community they would not be advertising a drivable community, but a walkable community. She explained how a walkable community would be beneficial for the city. She added that this would allow the city to apply for additional funding.

11. CLOSED SESSION

No closed session was held.

12. ADJOURNMENT

- Mayor Fullmer called for a motion to adjourn the meeting.

- **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 8:40 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: February 8, 2023

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