



MINUTES OF A REGULAR CITY COUNCIL MEETING

City Council Chambers
125 South Main Street, Vineyard Utah
May 24, 2023, at 6:03 PM

Present

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

Absent

Councilmember Tyce Flake

Staff present: City Manager Ezra Nair, City Attorney Jayme Blakesley, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Public Works Director Naseem Ghandour, Accountant Koby Johnston, Environmental Utilities Manager Sullivan Love, City Recorder Pamela Spencer

Others speaking: Residents Russell Evans and Alexander Teemsma; Orem resident Roland Robison with Heartland Farms

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

► Mayor Fullmer opened the meeting at 6:03PM. Councilmember Welsh gave the invocation and led the Pledge of Allegiance.

2. WORK SESSION

No items were submitted.

3. PUBLIC COMMENTS

- Mayor Fullmer called for public comments.
- Resident Russell Evans, living in the Villas subdivision, thanked the city for their work on the bike ride that took place last weekend.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

► Councilmember Rasmussen reported that she had attended a Utah Valley University (UVU) conference on domestic violence, and a Chamber of Commerce Valley Vision Conference, where they discussed the growth in the state. She reported on the town halls that had taken place. She noted that a UVU professor was bringing her class to Vineyard, and that they would be

labeling plants along the lakeshore. She also mentioned that the Community Garden was in full swing.

► Councilmember Sifuentes reported on Vineyard Days coming next week.

► Councilmember Welsh reported that the city had created an Arts Recreation and Parks, Cultural and Heritage (ARCH) Commission and that they were looking for more members to join the commission. She explained that there was a survey that residents could fill out to give the city their feedback on what they would like to see in the community. Mayor Fullmer added that she had a good response for the remaining seats and would be appointing new members soon.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 ► City Manager Ezra Nair reported that it was Public Works Week, and wanted to thank the Public Works staff for all the work they did for the city. He reported that the city hosted a tour of the new water tank. He reported that they were working on a pedestrian refuge for the Center Street crossing at Gammon Park and that the left turn out of Franklin Discover Academy was nearing completion. He said that they were finalizing the aesthetics design for the pedestrian overpass on the Vineyard Connector expansion. He noted that a new staff engineer, Patrick James, would start on Tuesday. He reported that the splash pad would be opening on Friday May 26 at 10 am and that the city offices would be closed on Monday in observation of Memorial Day. He noted that there would be a flag display, near the city offices, to honor those who made the ultimate sacrifice for us.

5.2 ► Planning Commission – Mr. Brim gave an update on the last Planning Commission meeting.

5.3 ► Lieutenant Rockwell gave an update on the NOVA program held in the elementary schools. He added that Deputy Stilson was leaving the city and that Deputy Ryan would be taking his place.

► Mayor Fullmer gave an update on the long-range plans for streets, transit lines, and integration into the regional transit systems.

6. CONSENT ITEMS

6.1 Approval of the April 26, 2023, City Council Meeting Minutes

6.2 Approval of the April 27, 2023, City Council Special Session Minutes

6.3 Approval of City Red Curb Plan (Resolution 2023-21)

6.4 Authorization for the City Manager to Enter into an Industrial Stormwater Connection Agreement with Anderson Geneva for the North Storm Drain System (Resolution 2023-22)

6.5 Approval of an ILA with UDOT for the Industrial Stormwater Agreement (Resolution 2023-23)

6.6 Approval of a City-wide Grounds Maintenance Contract Extension with Reel Cut LLC

6.7 Approval of a Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management (Resolution 2023-24)

6.8 Approval of Bout Time Pub & Grub Vineyard – DABS Restructuring of Ownership Local Consent

6.9 Approval of a Special Event Permit for Authority Heating and Cooling

6.10 Approval of Budget Expense for a Task Order Modification for Consor Engineers' Master Plan Work

6.11 Approval of Vineyard Municipal Code Amendments (Ordinance 2023-20), amending Titles 6, 8, 10, and 13.

► Mayor Fullmer called for a motion.

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

7. APPOINTMENTS

7.1 Community Garden Director for Gammon Park

With the advice and consent of the City Council, Mayor Fullmer will appoint Mark Legerski as the director of the Gammon Park Community Garden.

► Mayor Fullmer explained that the community gardens were underway and that she wanted to appoint Mark Legerski as the director of the Gammon Park Community Garden. She then called for a motion.

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

8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

8.1 PRESENTATION – Foodscaping Utah

Dr. John Trimble with Foodscaping Utah will present information on how the city can welcome, facilitate, and educate residents about landscaping with edible plants.

► Mayor Fullmer turned the time over to Dr. John Trimble with Foodscaping Utah.

► Dr. Trimble presented information about foodscaping in Utah.

► Mr. Brim asked for ideas for backyards. Dr. Trimble gave some suggestions for where to plant vegetables.

► Mayor Fullmer asked if the code allowed foodscaping the park strips. Mr. Brim replied that he would do a code audit and talk to the homeowner's associations about it.

► Orem resident Roland Robison, with Heartland Farms, mentioned that he was a master gardener and liked the idea of planting edible plants in the front yard.

► Mayor Fullmer asked about classes that people could attend. Dr. Trimble replied that they held in-person classes in Ogden. He added that they also had some classes on YouTube. Mayor Fullmer explained everything the city was doing to promote agriculture. Dr. Trimble felt that

Utah was in a situation where the growth was exponential, and they needed to think about the best ways they could use their space and save water.

► Mr. Brim asked if the city had residents who were interested in retrofitting their homes, would his organization be able to help. Dr. Trimble said that he could serve in an advisory role and suggested that they get volunteers from the area that he could help train.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Municipal Code Amendments (Ordinance 2023-19)

Special Events Coordinator Anna Nelson will present proposed amendments to the Vineyard Municipal Code Title 6 Criminal Code, amending Section 13.12.120 and adding Chapter 13.14 Special Events. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer turned the time over to City Manager Ezra Nair.

► Mr. Nair explained that as the city had grown, the code needed to be updated to reflect the current practices. He gave a brief review of the amended code.

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

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT ORDINANCE 2023-19 SPECIAL EVENTS CODE AS PRESENTED BY STAFF. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.2 PUBLIC HEARING – Transfer from Enterprise Funds to Internal Services Fund

City Manager Ezra Nair will present recommendations to transfer enterprise funds to an internal service fund to pay for services such as facilities, fleet, and information systems. The City Council will hear public comment regarding these recommended transfers. No action will be taken.

► Mayor Fullmer mentioned that she had a request from the council to continue the public hearing on this item to the June 14, 2023, City Council meeting.

► **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO CONTINUE THE PUBLIC HEARING ON 9.2 ON THE TRANSFER FROM THE ENTERPRISE FUNDS TO INTERNAL SERVICES FUND TO THE JUNE 14, 2023, CITY COUNCIL MEETING. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.3 DISCUSSION AND ACTION – Proposed Tentative Fiscal Year 2023-2024 Budget

City Manager Ezra Nair will present the Tentative Fiscal Year 2023-2024 Budget. The mayor and City Council will act to adopt (or deny) the proposed tentative budget and set a public hearing for June 14, 2023.

- ▶ Mayor Fullmer turned the time over to City Manager Ezra Nair.
- ▶ Mr. Nair expressed his excitement about the budget and reviewed the budget timeline. He then reviewed the tentative budget. There was a brief discussion about the Youth Council budget.
- ▶ Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.
- ▶ COUNCILMEMBER SIFUENTES MOVED TO TENTATIVELY ADOPT THE VINEYARD CITY FISCAL YEAR 2023-2024 TENTATIVE BUDGET AS PRESENTED BY STAFF AND ESTABLISH 6:00 PM ON WEDNESDAY, MAY 24, 2023, AT THE COUNCIL CHAMBERS OF VINEYARD CITY HALL AS THE TIME AND PLACE FOR THE VINEYARD CITY FISCAL YEAR 2023-2024 BUDGET PUBLIC HEARING. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.4 PUBLIC HEARING – Consolidated Fee Schedule (Resolution 2023-25)

Accountant Koby Johnston will present proposed amendments to the Consolidated Fee Schedule. 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 WELSH MOVED TO OPEN THE PUBLIC HEARING AT 6:52 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.
- ▶ Mr. Johnston reviewed the amendments to the Consolidated Fee Schedule.
- ▶ Lieutenant Rockwell explained why they needed to add these fines to the Consolidated Fee Schedule.
- ▶ Mayor Fullmer called for public comments
- ▶ Alexander Teemsma, living in the Solstice subdivision, asked for clarification on what was meant by driving on sidewalks and if that included golf carts. Lieutenant Rockwell explained that the code amendment prohibited off-highway vehicles as described by the state code. He said that the state had specific rules for golf carts. A brief discussion ensued.
- ▶ Mayor Fullmer called for further public comments. Hearing none, she called for a motion to close the public hearing.

► **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO CLOSE THE PUBLIC HEARING AT 6:57 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

► Mayor Fullmer called for questions from the council.

► Councilmember Welsh asked how much a trash can cost. Mr. Nair replied that it cost \$120.00. Councilmember Welsh asked about the fee for trash can fee and questioned the wisdom of the city subsidizing replacements cans, and proposed that they charge the residents the full cost of a trash can. A discussion ensued. Mayor Fullmer asked about the curfew law, which fine was also listed in the amendment. Lieutenant Rockwell replied that it was consistent with other cities' codes. He explained how the code would be used. Mayor Fullmer asked if they could waive the trash can fee if the trash cans were lost on accident. Mr. Nair replied that they could create an administrative policy. The discussion continued. Mr. Blakesley suggested that they adopt the amendments and include "with a \$120.00 replacement can fee and then insert a line that would be a no-fault replacement of \$50.00 as determined by the city manager or designee.

► Councilmember Welsh asked about the increase in the plan review fee. Mr. Nair replied that this was to be consistent with surrounding agencies. He said that it would be the same amount for commercial as for multi-family housing.

► Mayor Fullmer called for a motion.

► **Motion:** COUNCILMEMBER WELSH MOVED TO ADOPT BY RESOLUTION THE AMENDED CONSOLIDATED FEE SCHEDULE AS PRESENTED AND WITH THE ADJUSTMENTS AS STATED EARLIER WITH A REPLACEMENT TRASH CAN FEE OF \$120.00 AND A NO-FAULT FEE OF \$70.00. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.5 PUBLIC HEARING – Zoning Text Amendment - Domestic Livestock and Fowl

(Ordinance 2023-15) *(This item was postponed from the April 26, 2023, City Council meeting.) (This item is being postponed to the June 28, 2023, City Council Meeting.)*

Planner Cache Hancey will present an ordinance which would provide greater allowance for domestic fowl in lots less than 1 acre and would permit a certain number of chickens based on lot size. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer noted that this item was being postponed to the June 28, 2023 City Council meeting and called for a motion.

► **Motion:** COUNCILMEMBER WELSH MOVED TO POSTPONE ITEM 9.5 TO THE JUNE 28, 2023, CITY COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

► Mayor Fullmer restated the date for the motion.

► **Restated Motion:** COUNCILMEMBER WELSH MOVED TO POSTPONE ITEM 9.5 TO THE JUNE 28, 2023, CITY COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.6 DISCUSSION AND ACTION – Vineyard Municipal Code Amendments (Ordinance 2023-21)

City Attorney Jayme Blakesley will present proposed amendments to the Vineyard Municipal Code Chapter 2.14 Elections. The mayor and City Council will act to adopt (or deny) this request by ordinance.

► Mayor Fullmer turned the time over to City Attorney Jayme Blakesley.

► Mr. Blakesley explained the amendments to the Election Code.

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

► **Motion:** COUNCILMEMBER WELSH MOVED TO ADOPT ORDINANCE 2023-21 AS PRESENTED BY STAFF. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

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

► **Motion:** COUNCILMEMBER WELSH MOVED TO ADJOURN THE MEETING AT 7:08 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. COUNCILMEMBER FLAKE WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

MINUTES APPROVED ON: June 14, 2023

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