



MINUTES OF A REGULAR CITY COUNCIL MEETING

City Council Chambers
125 South Main Street, Vineyard, Utah
December 13, 2023, at 6:00 PM

Present

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

Absent

Staff Present: City Manager Eric Ellis, City Attorney Jayme Blakesley, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Finance Director David Mortensen, Community Development Director Morgan Brim, Planner Cache Hancey, Public Works Director Naseem Ghandour, Environmental Utilities Manager Sullivan Love, Cris Johnston, Brian Vawdrey, Deputy Recorder Heidi Jackman, Bicycle Commissioner Caden Rhoton, Planning Commission Chair Bryce Brady

Others speaking: Residents Chris Price, David Lauret, Daria Evans, Shawn Herring, Karen Cornelius, Chase Wheeler, Sherrie Kaye Miller, Jacob Holdaway, Keith Holdaway, Tristy Lee, David Eitel, Julie Cox, Jason Christensen, Ryan Holdaway, Clayton Prete, Jim McGillan, Sara Cameron, Tyler Haroldsen, Parker Edwards, Ann Taylor, Mike Cox, Darlene Price, Tiffany Stevens, Chip Price, Janae Riley, Jeff and Barbara Porte, Sara Williams, Kimberly Olsen, Elizabeth Holdaway, Jeff Thompson, Jeffrey Witson; Utah County Republican Party Chair, Christie Henshaw; Executive Director of the Inland Port Authority, Ben Hart; Pete Evans, Nate Hutchinson, and Mac Woodbury with Flagborough; Rob Donigan with Blue Line Design; Steve Borup, Director of Development with Dakota Pacific

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

Mayor Julie Fullmer called the meeting to order at 6:00 PM. Councilmember Flake led the Pledge of Allegiance and invocation.

2. CANVASS AND SWEARING IN OF PLANNING COMMISSIONER

2.1 CANVASS – 2023 Municipal General Election Canvass and Certification

The City Recorder Pamela Spencer will present the results of the 2023 Municipal General Election. The mayor and City Council will sit as the Board of Canvassers to certify the results of the 2023 Municipal General Election.

City Recorder, Pamela Spencer presented the results of the 2023 Municipal General Election. Mrs. Spencer explained each category and the numbers/percentage of each category. She asked the council to certify the election with the results given.

Motion: COUNCILMEMBER FLAKE MOVED TO CERTIFY THE VOTE AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer thanked the outgoing councilmembers for their service. She expressed her appreciation for the dedication and love it takes to serve in a community and presented a gift to Councilmembers Cristy Welsh and Tyce Flake. Mayor Fullmer turned the time over to the outgoing council members.

Councilmember Welsh expressed her gratitude for the time she served in the community.

Councilmember Flake shared his thoughts on his service in the community.

2.2 Swearing in of New Planning Commissioner

City Recorder Pamela Spencer will swear in Nathan Steel as a new sitting Planning Commissioner. Mr. Steel was appointed during the City Council Special Session on December 6, 2023.

Mayor Fullmer announced a new Planning Commission member, Nathan Steel. She also thanked former Planning Commission member Anthony Jenkins for his service on the Planning Commission.

Ms. Spencer swore Nathan Steel in as the newest Planning Commission member.

Mr. Steel introduced himself and expressed his excitement to serve on the Planning Commission.

3. PUBLIC COMMENTS

Mayor Fullmer called for public comments.

Resident David Lauret asked if consent item 6.7 could be discussed publicly. Mayor Fullmer asked the council if they would be okay with this, and the council agreed.

Resident Daria Evans, living in The Villas, thanked the city for the holiday decorations. Ms. Evans asked how much Redevelopment Agency (RDA) money was going to be used for the cemetery and fire station spoken about in the previous meeting. She also had a question about the land donation agreement and the fire station being a part of it; and would like to know where that will be and also where the cemetery will be located. Ms. Evans then asked if she could comment on consent item 6.2 (Bicycle Advisory Commission) and Mayor Fullmer responded yes. Ms. Evans asked who requested the change and the reason behind it.

Resident Shawn Herring, living in the Ashely Acres subdivision, asked where public notices are posted. Deputy Recorder, Heidi Jackman responded that they are posted on the website, bulletin board in the city office and a park pavilion bulletin board. Mr. Herring stated that he thought public notices should also be posted on social media. He also expressed concern about feedback about meeting attendance and wanted to point out that now people are showing up and listening.

Resident Karen Cornelius expressed her concerns about the seating for the meeting and asked that it be postponed. She also expressed concern that residents are not getting enough credit for their time regarding meeting attendance and reading the materials.

Resident Chase Wheeler, living in the Lake Front subdivision expressed concern for safer parking and the city council's response to his concerns.

Resident Sherrie Kaye Miller expressed her apologies to Planning Commissioner Brad Fagg, for a comment she made to him at the December 6, 2023, Planning Commission meeting. She expressed concern about the conflict she felt around Vineyard City and spoke about a text conversation she had with Councilmember Cristy Welsh regarding a survey for the mural on the water tower. She expressed concern for the timing of items on the agenda and the meeting date.

After a question regarding how many minutes for public comments, Mayor Fullmer confirmed that the time was 3 minutes.

Utah County Republican Party Chair, Christie Henshaw commented on the Public Infrastructure District and Mayor Fullmer asked her to comment when the item came up on the agenda.

Resident Jacob Holdaway commented that he wished the meeting wasn't held during the holidays. Mr. Holdaway thanked Councilmember Mardi Sifuentes for removing consent item 6.7 expressed concerns about issues he wishes to investigate.

Resident Keith Holdaway expressed concern that the agenda was dropped 24 hours before the meeting. Mayor Fullmer asked the audience to please raise their hand if they agreed with a comment to obtain order in the room. Mr. Holdaway expressed concern about respect and communication.

Mayor Fullmer asked City Attorney, Jayme Blakesley to explain the timing of noticing for meetings. Mr. Blakesley explained what is required in noticing.

Resident Tristy Lee commented that the attendees in the lobby were having trouble hearing. She also expressed her concerns that the meeting be postponed due to limited space. Mayor Fullmer responded that they will notice the attendees in the lobby what item was being discussed and they were welcome to come in and comment.

Resident David Eitel, living in the West Brook subdivision, expressed concern about the traffic caused by an accident earlier that week and what could be done about it. Mayor Fullmer responded that there is a form he can fill out asking for information about the transportation plan. Mr. Eitel also expressed concern about fiber lines being installed and spray paint on his property. Mayor Fullmer responded that they can give him information on who he can call regarding that.

Resident Chris Price, living in the Providence subdivision, expressed his love for his country and the constitution. He expressed concern for the direction the city is going.

Resident Julie Cox, living in the Providence subdivision commented that she would like the meeting postponed.

Resident Jason Christensen expressed concern about items on the agenda.

Resident Ryan Holdaway spoke about comments made previously about vesting rights and developer rights. He expressed concern regarding public safety and protecting children.

Resident Clayton Prete, living in the Solstice subdivision expressed concern about the attendees not being able to hear out in the lobby.

Resident Jim McGillan expressed concern regarding timing, noticing and space for the meeting.

Mayor Fullmer stated she would close public comments at 7:15 PM.

Resident Sara Cameron, living in the Parkside subdivision, expressed concerns regarding parking at Lake Front Town Homes and Condos. She asked Mayor Fullmer if she would remove parking restrictions during the dark months for overnight parking. Mayor Fullmer responded that she had called the Homeowner's Association (HOA) and they told her that because they had worked on the permit process together that they did not need additional parking. Mayor Fullmer also stated that she has been in touch with their management company to get data, and if Ms. Camerson would like to speak to them, she will connect her to them. Mayor Fullmer said she will follow up with Ms. Cameron as information comes forward.

Resident Tyler Haroldsen, living in the Edgewater subdivision, wanted to clear up a rumor he had heard and apologized to the council. Mayor Fullmer responded that they have been proactively working to address the issues at the intersection in which a Vineyard resident was killed in October of 2023. Mr. Haroldsen suggested some ways to fix the problem.

Ms. Cornelius expressed concern that the attendees in the hall were not able to hear and reiterated that she would like the meeting cancelled.

Resident Parker Edwards expressed concern regarding the meeting agenda noticing. He also expressed concern regarding social media posts.

Mayor Fullmer asked Mr. Edwards to clarify the social media posts he was referring to.

Mr. Edwards came back up to the podium and briefly shared his concern. Mayor Fullmer responded that he can speak with Councilmember Amber Rasmussen in a private conversation.

Resident Ann Taylor expressed concern regarding the timing of the meeting, the space, and items on the agenda.

Resident Mike Cox commented that he had asked the council members questions the week before and would still like to know the answer.

Mayor Fullmer closed the public comments.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

(3 minutes each)

5.1 City Manager Eric Ellis

City Manager Eric Ellis gave updates on each department.

6. CONSENT ITEMS

6.1 Approval of the December 6, 2023, City Council Meeting Minutes

6.2 Approval of Bicycle Advisory Commission Amendments (Ordinance 2023-31)

6.3 Vineyard Grove Park Slide Hill – Site Design

6.4 Vineyard Grove Park Slide Hill – Contraction Bid Award (Resolution 2023-57)

6.5 Adding Street Lights to Main & Center St.

6.6 The Yard Plat 'F' Subdivision

6.7 Municipal Code Amendment for Appointment and Removal of City Officers
(Ordinance 2023-32)

6.8 Approval of Economic Strategy Contract Extensions (Resolution 2023-60)

6.9 Vineyard City Seal (Resolution 2023-52)

Mayor Fullmer stated that they are removing consent item 6.7. Councilmember Mardi Sifuentes asked for an explanation on consent item 6.8.

City Attorney Jayme Blakesley explained consent item 6.8 regarding economic development.

Mayor Fullmer asked the council if anyone wanted consent item 6.2 removed for further discussion. Councilmember Sifuentes responded yes.

Motion: COUNCILMEMBER CRISTY WELSH MOVED TO APPROVE THE CONSENT ITEMS AS PRESENTED WITH THE REMOVAL OF ITEMS 6.2 AND 6.7. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer presented consent item 6.2 (Approval of Bicycle Advisory Commission) and responded to Mrs. Evans' questions about changes.

Mrs. Evans asked how someone not living in Vineyard knows what Vineyard needs. Mayor Fullmer responded that the commission wanted to have more expertise when it came to planning.

Bicycle Advisory Commissioner Caden Rhoton approached the podium and responded to Mrs. Evans' concerns.

Motion: COUNCILMEMBER SIFUENTES MOVED TO APPROVE CONSENT ITEM 6.2, BICYCLE ADVISORY COMMISSION AMENDMENTS ORDINANCE 2023-31. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

City Attorney Jayme Blakesley presented consent item 6.7, Municipal Code Amendment for Appointment and Removal of City Officers (Ordinance 2023-32). He explained the amendment in detail. Councilmember Sifuentes had questions regarding the wording and a discussion ensued.

Councilmember Sifuentes expressed concern regarding the changes and requested moving it to a different week. Mayor Fullmer responded, and a discussion ensued.

Motion: COUNCILMEMBER SIFUENTES MADE A MOTION TO POSTPONE THE VOTE ON MUNICIPAL CODE AMENDMENT FOR APPOINTMENT AND REMOVAL OF CITY OFFICERS TO HAVE THE MAYOR HELP HER FEEL MORE COMFORTABLE. NO SECOND MOTION WAS MADE AND THE MOTION DID NOT PASS.

Councilmember Sifuentes asked that the attendees be respectful during this time.

Mr. Blakesley, for point of order, clarified that there was no second on Councilmember Sifuentes' motion.

Mayor Fullmer stated that Councilmember Sifuentes made a motion to continue the item and since no second motion was made the motion did not pass. She welcomed people to come to the podium if they wished to speak on consent item 6.7.

Jacob Holdaway expressed his concerns regarding having four elected officials to make a vote instead of three. Mayor Fullmer responded to his concerns and a discussion ensued responded.

Mr. Blakesley called for a point of order. He explained that on every item on the agenda there would be an opportunity for them to come to the microphone and make comments. He stated that the sheriff would remove anyone talking over a commenter or interrupting the council.

Resident David Lauret read the state code regarding city managers. Mr. Lauret expressed concern about enacting the amendment. Mr. Blakesley responded, and a discussion ensued.

Jacob Holdaway further expressed concern. Mr. Blakesley responded that the future council has the same rights that the current council has. Mayor Fullmer and Councilmember Sifuentes responded, and a discussion ensued.

Mayor Fullmer stated they were closing public comments and went into deliberations with the council.

Resident Darlene Price thanked Councilmember Sifuentes.

Motion: COUNCILMEMBER FLAKED MOVED TO APPROVE CONSENT ITEM 6.7, UNDERSTANDING THE NEW COUNCIL CAN REVERSE THIS MOTION IN TWO WEEKS. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND WELSH VOTED YES. THE MOTION CARRIED WITH ONE NAY.

7. APPOINTMENTS

7.1 Planning Commission

No new appointments were made.

8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

No items were submitted.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING – Inland Port

(The Public Hearing may be continued to a later date)

City Attorney Jayme Blakesley will present a proposal for the creation of one Utah Inland Port Authority project area to allow for public input on (i) whether the requested service (described below) is needed in the area of the Proposed Project Area, (ii) whether the service should be provided by the City or the Proposed Project Area, and (iii) all other matters relating to the Proposed Project Area.

Executive Director of the Inland Port Authority, Ben Hart, gave a presentation about the inland port authority and what the purpose is.

Mayor Fullmer commented that she was excited to learn what the inland port is and did not plan on holding a public hearing tonight and wanted an opportunity for the council to learn about it. Mrs. Fullmer said she wanted to have more understanding of what an inland port was.

Mr. Hart continued with the presentation. A discussion ensued.

Mr. Blakesley pointed out that since the item was noticed for a public hearing, a motion to table would need to be made.

Motion: COUNCILMEMBER FLAKE MOVED TO TABLE BUSINESS ITEM 9.1 TO THE PLEASURE OF THE NEW COUNCIL WHEN THEY COME IN. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.2 DISCUSSION AND ACTION - East Geneva Right-of-way and Land Donation and Development Agreement (Resolution 2023-51)

(A Public Hearing was held for this item during the Joint Planning Commission and City Council meeting December 6, 2023.)

City Attorney Jayme Blakesley will present a request for approval of a right-of-way and land donation and development agreement between Vineyard City, Utah, The Vineyard Redevelopment Agency, and Anderson Geneva, LLC, for the following parcel numbers: 17:019:0047, 38:437:0001, 38:437:0002, 17:022:0006, and 46:870:0004. The Mayor and City Council will act to adopt (or deny) this request by resolution. *(This item was continued from the December 6, 2023, City Council Meeting.)*

Mr. Blakesley introduced item 9.2 and explained that this item accomplishes two different things, the Land Donation, and the Development Agreement. Mayor Fullmer asked about stipulation and a discussion ensued.

Pete Evans with Flagborough explained that they did not put the cemetery in because they did not know where it would go, but in good faith would add one.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE TWO AGREEMENTS, LAND DONATION AND THE DEVELOPMENT AGREEMENT WITH ANDERSON GENEVA LLC WITH THE ADDITION AS NOTED BY THE OWNER. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.3 DISCUSSION AND ACTION – First Amendment to Geneva West Side Property Land Donation and Development Agreement (Resolution 2023-55)

City Attorney Jayme Blakesley will present a first amendment to the Geneva West Side Property Agreement. The Mayor and City Council will act to adopt (or deny) this request by resolution.

Mr. Blakesley introduced item 9.3. He explained the four things that it primarily does: separates the tax increment collection period into two phases, it authorizes the Redevelopment Agency Board (RDA) to reimburse the developer for parking costs, the developer donates the Lake Promenade property to the city, and the developer donates public roadways throughout the project. He explained why a public hearing was held on the first agreement and not on this amendment.

Resident Tiffany Stevens asked for clarification on Redevelopment Agency Board (RDA) funds used, how much and if item can be tabled for more time. Mr. Blakesley responded how RDA funds are used to reimburse and explained tax revenues.

Councilmember Sifuentes asked to summarize. Mr. Blakesley responded, and a discussion ensued.

Ms. Stevens asked about triggering and how public hearings are noticed. Mr. Blakesley responded that notices are published on the city website and the Utah Public Notice website. Councilmember Sifuentes commented that subscribing to receive notices on the website is very helpful. Ms. Stevens then expressed her concerns regarding the tone of the meeting.

Mr. Holdaway commented on the cultural shift with the election. He mentioned the RDA being public money, Mr. Blakesley responded that it is complicated and RDA funds are committed at different times and gave an explanation about the funds. Mr. Holdaway expressed his concern about the large sum of money and the importance of RDA meetings.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE REQUESTED FIRST AMENDMENT TO THE LAND DONATION AND DEVELOPMENT AGREEMENT AS DESCRIBED IN THE ATTACHED RESOLUTION AS DISCUSSION. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.4 DISCUSSION AND ACTION - Shade Sails

Parks and Recreation Director Brian Vawdrey will present an option for shade sails on certain park equipment. The mayor and City Council will take appropriate action.

Parks and Recreation Director Brian Vawdrey presented the final design for the shade sails.

Councilmember Welsh asked if the Arts, Recreation, Cultural, and Heritage Commission (ARCH) approved the blue color for the sails. She understood that ARCH recommended gray to match the building.

ARCH Commission member, Sherrie Kay Miller approached the podium and stated that the commission had suggested they wanted gray. Councilmember Welsh responded they wanted to match the building. A discussion ensued.

Councilmember Sifuentes asked for confirmation if color choice makes a difference.

Rob Donigan with Blue Line Design approached the podium and stated he could answer questions. Councilmember Sifuentes asked if the color of the shade affected the temperature of the shade below. He stated that it is more for visual purposes than influencing the shade and the shade can be any color with no price difference. Mr. Vawdrey explained that the blue color was due to the park considered the “blue park.” Councilmember Welsh suggested they use the color the ARCH Commission recommended.

Motion: COUNCILMEMBER WELSH MOVED TO APPROVE THE SHADFE SAIL EQUIPMENT AT PENNY SPRINGS AND GROVE PARK AND CONFIRM WITH THE ARTS, RECREATION, CULTURE, AND HERITAGE COMMISSION (ARCH) FOR THE COLOR. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer stated that there would be a 10-minute break.

9.5 PUBLIC HEARING – FY 24 Budget Amendments (Resolution 2023-56)

Finance Director David Mortensen will present proposed amendments to the Fiscal Year 2023-2024 Budget Amendment #2. The Mayor and City Council will act to adopt (or deny) this request by resolution.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 8:48 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Finance Director David Mortensen gave a presentation on the FY 2023-2024 Budget Amendments. He shared the adjustments made as requested.

Mayor Fullmer asked about the additional cost for a full-time employee in the Planning Department. Development Director Morgan Brim responded, and explained what the costs could be.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 8:51 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer stated that she would like the council to add to the budget for a senior planner in the Planning Department. Mr. Mortensen responded that further analysis would be needed and could not give an answer right away. A discussion ensued.

Motion: COUNCILMEMBER WELSH MOVED TO APPROVE THE VINEYARD CITY FISCAL YEAR 2023-2024 BUDGET AMENDMENT #2 AS PRESENTED BY STAFF. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.6 PUBLIC HEARING – Consolidated Fee Schedule Amendment (Resolution 2023-53)

Finance Director David Mortensen will present proposed amendments to the Consolidated Fee Schedule. The Mayor and City Council will act to adopt (or deny) this request by resolution.

Motion: COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 8:53 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mr. Mortensen gave a presentation on the Consolidated Fee Schedule changes.

Councilmember Welsh asked how often residents were coming in to renew permits. Mr. Brim responded about 5-10 per year.

Resident Chip Price asked if it was possible to do permit renewals. Mr. Brim responded they would have to check with the vendor but could be possible. Councilmember Sifuentes commented that she wasn't sure that would work because of the color of the permit. A discussion ensued.

Mr. Mortensen continued with the presentation.

Mr. Brim wanted to clarify regarding the Planning Commission special meeting administrative fee. He stated that it would take a quorum to decide if a special meeting was necessary.

The presentation continued.

Regarding "barricade cost" in the presentation, Mayor Fullmer asked Mr. Mortensen about who it pertained to. Public Works Director Naseem Ghandour responded it pertained to special events in the city, or emergency closures. A discussion ensued.

Resident Janae Riley asked a question regarding requesting a streetlight on her road. Mr. Ghandour responded that the city council can waive the fee or reduce the cost. A discussion ensued.

Motion: COUNCILMEMBER RASMUSSEN MOVED TO CLOSE THE PUBLIC HEARING AT 9:12 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT BY RESOLUTION THE AMENDED CONSOLIDATED FEE SCHEDULE AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.7 PUBLIC HEARING – Forge Development Agreement (Resolution 2023-54)

Community Development Director Morgan Brim will present the Forge Development Agreement. Dakota Pacific is proposing a development agreement for The Forge property. The property is located at 769 N Ingot Road Vineyard, UT 84059, and is zoned within The Forge Special Purpose Zoning District. Parcel IDs: 39:258:0001 through 39:258:0007.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 9:13 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mr. Brim introduced the Forge and went over items in the agreement and a discussion ensued.

Steve Borup, Director of Development with Dakota Pacific gave an overview of their general plan for the Forge development.

Resident Jeff Porter asked how many residents it would allow and if there was a multi-level parking structure. Mr. Brim responded to his question.

Resident Barbara Porter asked how many parking spaces are being assigned. Mr. Borup responded that it is based on occupancy and there are two different parking structures and detailed how many cars per units/bedrooms. A discussion ensued.

Ms. Riley commented that she was excited to get new places in Vineyard and expressed her concerns about parking and if she isn't a resident of the Forge, she can walk through it.

Planning Commission Chair Bryce Brady commented that they spoke about the anchor being regionally significant in their last Planning Commission meeting. He expressed concern about some language in the plan didn't align with what they had discussed. Mayor Fullmer asked for clarification and a discussion ensued.

Ms. Evans asked if a Public Infrastructure District (PID) had to be developed before a development agreement is ratified. She was under the impression that this would go through the RDA. Mr. Blakesley responded that any landowner can petition the city to create a PID and a discussion ensued.

Resident Sarah Williams asked how many parking spots there were for the 1100 units. Mayor Fullmer responded that there is a code for how many spots are required. Mr. Brim responded that they have to submit a site plan and then would be analyzed.

Resident Chip Price asked if this was a request to change the zoning. Mr. Brim responded that the zoning is open-ended with 1/3 of the square footage dedicated to residential parking. Mr. Price appreciated the due diligence the Forge is doing for parking and expressed concerns if we don't make changes.

Resident Shawn Herring asked if there was a percentage mix of the 1100 units, rental to owned. Mr. Borup responded, said there is an incentive to own it and explained how they might go about that. A discussion ensued.

Resident Kimberly Olsen, living in Lake Front expressed her concerns about people "cramming into housing" because it's fun. Mayor Fullmer wanted to clarify that Vineyard has sufficient parking, manage parking, and correct policing. A discussion ensued.

Resident Barbara Porter commented that her experience with Affordable Housing was great.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 9:55 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer addressed the questions she heard during the public hearing. She asked Mr. Borup to clarify the parking.

Mr. Borup stated that parking would be 100% permitted. He explained that every stall would have a permit associated with it and discussed what would eventually happen as time went on. Councilmember Sifuentes requested not to use tandem parking and a discussion ensued.

Mayor Fullmer asked the council if they had any commentary or questions regarding the "for sale" units and the Affordable Housing units.

Councilmember Rasmussen commented that she pushed to get as many Affordable Housing units as she could. Mr. Brim responded that there is a designated 60% Area Median Income (AMI) set aside for firefighters, teachers, etc. Mr. Brim asked Mr. Borup to talk about market rate. Mr. Borup further explained how the developer wants to contribute and spoke about where they would be withing the community. Councilmember Sifuentes asked about the number of units and a discussion ensued.

Resident Elizabeth Holdaway asked for clarification on cap and the number if units. Mr. Borup stated that it would only be 1100 units. Mr. Brim explained there is no cap in the current zoning code and a discussion ensued.

Mayor Fullmer stated that her question was not answered. Mr. Brim explained what the development agreement would do, and a discussion ensued.

Mayor Fullmer addressed the question regarding parking with a complex for RDA funds on the site. She stated that there is always a potential for people to come with an application and discussed how that would be handled.

Mayor Fullmer asked if Exhibit F was addressed that it was not regionally significant to Planning Commission Chair Bryce Brady. Mr. Brim responded what they would do from a staff viewpoint with the text. A discussion ensued.

Mr. Blakesley recommended a revision to the text and discussed what the line said and suggested what it could say.

Mr. Borup stated he was not comfortable with the suggestion from Mr. Blakesley. He explained his reasons behind it. Mayor Fullmer made some recommendations. Mr. Blakesley gave legal advice and a discussion ensued with Mr. Brady and the language written.

Mayor Fullmer asked the council to decide if it was “regionally significant.” A discussion ensued regarding the term and the possibility of issues.

Mayor Fullmer asked Mr. Borup if there was any opportunity to expand green space along the belt on Geneva Road. Mr. Borup responded that he understood the desire. He stated that they were open to expanding it if a middle ground could be found. A discussion ensued.

Mayor Fullmer asked the council if they felt good about the following: no tandem parking, remove PID language, strike Exhibit F section 4.4 with the appeal process to go back to city council with option on land. Mr. Brim asked for clarification on acreage size.

Mr. Blakesley read what the motion would be.

Mr. Borup clarified where tandem parking could possibly go. Councilmember Sifuentes expressed concern about tandem parking counting towards the tenant parking. A discussion ensued.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE RESOLUTION 2023-54 DEVELOPMENT AGREEMENT FOR THE FORGE WITH THE NOTED ADDITIONS AS PROPOSED BY OUR LEGAL COUNCIL:

- STRIKE SECTION 4.4
- STRIKE EXHIBIT F AND LAST SENTENCE OF SECTION 1.2.39
- LANGUAGE REMAINS ABOUT PC APPROVAL OF PROPOSED REGIONALLY SIGNIFICANT ENTERTAINMENT ANCHOR; ADD DEVELOPER RIGHT TO APPEAL PC DECISION TO CITY COUNCIL IF PC DENIES.
- NO TANDEM PARKING THAT COUNTS TOWARD PARKING MINIMUMS.
- WHEN PARKING LOT IS CONSTRUCTED AT THE PARK, PARKING LOT SHALL BE SHARED BETWEEN COMMERCIAL AND PARK USER. IF SHARED PARKING FREES UP PARK SPACE, CITY SHALL HAVE OPTION TO ACQUIRE THAT PROPERTY.

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

9.8 PUBLIC HEARING – East District: The Creation of Public Infrastructure District (Resolution 2023-58)

City Attorney Jayme Blakesley will present the proposed creation of five Public Infrastructure Districts (the “Proposed Districts”) and to allow for public input on (i) whether the requested service (described below) is needed in the area of the Proposed Districts, (ii) whether the service should be provided by the City or the Proposed Districts, and (iii) all other matters relating to the Proposed Districts.

Mr. Blakesley gave a presentation on items 9.8 and 9.9.

Motion: COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 11:02 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS, FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Ms. Evans asked if a PID is developed will it be tax exempt. Mr. Blakesley responded that a PID is a government entity and explained how it works as an entity and how it works with the RDA. Ms. Evans asked a question about defaulting. Mr. Blakesley responded that if a PID defaults, the city has no financial obligation. Mac Woodbury and Pete Evans with Flagborough responded to Ms. Evans’ concerns and a discussion ensued.

Mr. Herring asked if the council feels the PID’s are in the best interest of the city. Mr. Blakesley responded the city council will want to hear from everybody. Mr. Herring expressed concern about the PID’s and the timing of them being on the agenda right now.

Mr. Ryan Holdaway expressed concerns about the timing of the PID’s on the agenda and who will assume risk.

Mr. Jake Holdaway commented that this is the first time he has heard about this item. He expressed concerns about the developer creating a public entity and what it would entail. Mr. Woodbury and Mr. Evans responded to Mr. Holdaway’s concerns and a discussion ensued.

Mr. Price expressed concern about not understanding what a PID was. Councilmember Sifuentes responded with her understanding of what a PID was. Mr. Price further expressed his concerns and a discussion ensued.

Mr. Jake Holdaway commented about his concerns with the PID’s and government money.

Ms. Williams asked what the risks and rewards were.

Nate Hutchinson with Flagborough answered Ms. Williams stating he thinks its lack of understanding and explained what they were going to do with the PID’s. Mr. Hutchinson stated that sitting down with the citizens and sharing what they’ve been working on will be very helpful. He shared that they have worked with previous mayors and city council members for the last 10-11 years and nothing has been done in the dark. Mr. Hutchinson stated that everything has been done in a public meeting. He also said that in no way, can anyone in the city be responsible for their PID. Mr. Evans commented on why PID’s were designed.

Resident Jeff Thompson asked the council if they had to vote tonight.

Mr. Ryan Holdaway commented that he appreciated the information about the PID's. He expressed his concerns about creating the PID's right now.

Mr. Evans commented that what Mr. Hutchinson said was right, and that PID's were created to reduce the cost of infrastructure and explained why.

Mr. Lauret commented that he appreciated the discussion and asked if the land would be leased or sold. He expressed his concerns about selling to a big box user and the consequences.

Mr. Woodbury responded to Mr. Lauret's concerns regarding whether they sold to a big box user or other commercial users. He stated that the commercial users value property based on that income. Mr. Woodbury said that it can fall apart when an individual home buyer is comparing a \$500,000 home to another \$500,000 home. He said a large user is going to want to have a say over the PID.

Jeff Olsen asked again if the council needed an answer tonight.

Mr. Hutchinson commented that the timing of interest rates is an incentive. He stated that there is already twenty million dollars of infrastructure in, and they are about to break ground on twenty-five million dollars of the park. Mr. Hutchinson said they want to borrow money at a cheaper interest rate to put in the PID.

Sherrie Kaye Miller expressed her concerns to have more time to understand.

Resident Clayton Prete expressed his concern about the timing and would like more time.

Mr. Jake Holdaway expressed his concern about the processes in place.

Ms. Cameron asked if there were codes for the PID's. Mr. Blakesley responded that there is no land use authority granted with a PID.

Resident Geoffrey Wixom asked if the city had to give up anything for the PID's. Mr. Blakesley responded that it doesn't change the funding and finance options for the city. A discussion ensued.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 12:02 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION MAYOR FULLMER, COUNCILMEMBERS, FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer addressed comments about due government process and stated that they were following all of the processes correctly.

Councilmember Sifuentes read a statement about PID's, asking the question: if you have a PID on a site and bond for infrastructure, what's to stop that from happening again? Mr. Evans responded that statutorily there is a maximum mil rate that can be levied on any property as part of the PID. Councilmember Sifuentes asked for clarification regarding PID's being different from a special district and not being tied to a local district once permission is given. Mr. Evans

responded that it was a true statement and that the reason special districts need to be tied to governmental oversight and representation is due to it being a general tax on everyone in that area, and it's a property tax that doesn't go away. He stated that in the proposed PID on the governing documents there is no non-represented tax entity. Mr. Evans responded to a question regarding rentals and taxes within a PID.

Councilmember Sifuentes asked if there was a meeting at the end of the month. Mayor Fullmer responded that there was. Councilmember Sifuentes wanted to make a motion to push the item to the next council meeting.

Mr. Evans stated he would be happy to have a meeting with citizens before the next council meeting to educate about the PID's.

Motion: COUNCILMEMBER SIFUENTES MOVED TO CONTINUE RESOLUTION 2023-58 TO DECEMBER 27, 2023, COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.9 PUBLIC HEARING – West District: The Creation of Public Infrastructure District (Resolution 2023-59)

City Attorney Jayme Blakesley will present the proposed creation of five Public Infrastructure Districts (the "Proposed Districts") and to allow for public input on (i) whether the requested service (described below) is needed in the area of the Proposed Districts, (ii) whether the service should be provided by the City or the Proposed Districts, and (iii) all other matters relating to the Proposed Districts.

Mr. Herring asked about meeting protocol. Mr. Blakesley responded that the meeting could go on the next day. Mr. Herring asked about the Inland Port item and Mayor Fullmer responded that tonight was just a presentation to understand it.

Resident Janae Riley expressed her concerns with the agenda process and items being removed after they have been posted. Councilmember Sifuentes asked if these were regarding documents on the website. She let Ms. Riley know that the documents were indeed still online and had not been removed. Ms. Riley expressed her concerns with due process and Mayor Fullmer responded that the city follows the state statute.

Resident Elizabeth Holdaway commented she would like more time for the PID's and was grateful they continued the item. Ms. Holdaway asked about attendance at city council meetings. She expressed her concern about having more time to understand items on the agenda.

Mr. Ryan Holdaway asked what the difference was between the East and West District. He also expressed concern about this time of year being busy and needing more time to understand the PID's. Mr. Blakesley explained the difference between the districts.

Mr. Jake Holdaway expressed concern about the timing of the item and how it came to be on the agenda at this time.

Motion: COUNCILMEMBER SIFUENTES MOVED TO CLOSE THE PUBLIC COMMENTS. COUNCILMEMBER FLAKE SECONED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Motion: COUNCILMEMBER SIFUENTES MOVED TO CONTINUE RESOLUTION 2023-59 TO THE DECEMBER 27, 2023, CITY COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.10 DISCUSSION – Lease Agreement for The Promenade Aquatics Facility

City Attorney Jayme Blakesley will lead discussion about the lease agreement for the Promenade Aquatics Facility. No action will be taken at this time.

Mayor Fullmer asked the council to continue item 9.10 to the next meeting.

Motion: COUNCILMEMBER SIFUENTES MOVED TO CONTINUE ITEM 9.10 TO THE DECEMBER 27, 2023, CITY COUNCIL MEETING. COUNCILMEMBER FLAKE SECONED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

Meeting adjourned at 12:23 AM, December 14, 2023.

MINUTES APPROVED ON: December 13, 2023

CERTIFIED CORRECT BY: /s/ Heidi Jackman
HEIDI JACKMAN, DEPUTY RECORDER