



MINUTES OF A REGULAR CITY COUNCIL MEETING

City Council Chambers
125 South Main Street, Vineyard, Utah
January 24, 2024, at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember Tyce Flake
Councilmember Amber Rasmussen
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, Community Development Director Morgan Brim, City Planners Cache Hancey and Anthony Fletcher, Chief Building Official Cris Johnson, Treasurer Kristie Bayles, Parks and Recreation Director Brian Vawdrey, Recreation Coordinator Aaron Kohler, Environmental Utilities Manager Sullivan Love, and City Recorder Pamela Spencer

Others Speaking: Resident Daria Evans and Adam Tuescher; Ilene Miller with Utah Valley Homebuilders Association

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

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

► Mayor Fullmer started with item number 8.1

2. WORK SESSION

2.1 Technology Element of the General Plan

Community Development Director Morgan Brim and Councilmember Rasmussen will lead a discussion regarding amendments to the Technology Element to the General Plan.

► Councilmember Rasmussen and Mayor Fullmer gave a brief background on the privacy amendment to the General Plan.

► Mr. Brim reviewed the privacy amendment.

► Councilmember Holdaway noted that some homeowners' associations had expressed concern about the city collecting personal information. Mr. Brim explained how and what the city would be collecting. A discussion ensued. Mr. Brim explained that there was a bill in the legislature this year, and if it passed, Vineyard would amend the code. Councilmember Rasmussen said that the city had received an audit report and would make recommended changes. The discussion continued.

2.2 Scholarship Program for Parks and Recreation's Sports Programs

Recreation coordinator Aaron Kohler will present a recommendation to implement a scholarship program for sport programs.

- Mayor Fullmer turned the time over to the Recreation Coordinator Aaron Kohler.
- Mr. Kohler reviewed the recommended scholarship program. He explained that the city could have an option to allow registrants to pay an additional dollar towards the scholarship fund, or the city could increase the registration fee by a dollar. He mentioned that donations had been successful in other cities. Mayor Fullmer asked if other cities did the fee increase or the donation option. Mr. Kohler replied that it differed in different cities, but Clearfield incorporated the fee into their fee schedule. He reviewed how the city advertises the fee or donation option. Councilmember Rasmussen asked how this would be different from past scholarships. Park and Recreation Director Brian Vawdrey explained that they had previously waived the fee. He further explained the changes to the fee waiver through the scholarship program. There was a discussion about the scholarship fund and how many residents asked for a fee waiver. There was also a discussion about other ways to get donations or grants.
- Mr. Vawdrey said they were looking into ways to verify the need for a fee waiver. A discussion ensued about the fee waiver and the scholarship program. Mr. Vawdrey mentioned that they wanted to launch this program starting March 1.
- Mr. Blakesley reviewed a third option of an opt-in / opt-out option for donations. A discussion ensued.

3. PUBLIC COMMENTS

- Resident Daria Evans, living in The Villas subdivision, asked about the amendment to Strategy 5 in the Technology Element of the General Plan, adding "contractors." Mr. Brim explained that they had added it to the staff report.
- Ms. Evans also asked for an update on the rail spur and the tax incentives given to Top Golf.
- Ilene Miller with the Utah Valley Homebuilders Association explained that she tracked impact fees and how they impact the builders. She explained that the state had a 5-point program requiring cities to develop affordable housing plans. She said that this looks good on the front end, but the impact fees drive the cost of the homes up on the back end. She reviewed the Timpanogos Special Services District (TSSD) fee increases starting from 2018 forward. She said that because of the economy, first-time home buyers could not afford to purchase a home. She had recommended to the TSSD Board that the increases would be for new builds only. She felt that TSSD would not realize the increased funds for their construction projects.

► Resident Adam Tuescher, living in the Windsor subdivision, stated that he favored the railroad crossing at 400 North, which was listed in the Active Transportation Plan. He said he was pleased with the clearing of the trails and asked if there was a posting of when they were being plowed. He mentioned volunteering with Utah Approves and explained how approval voting worked.

► Mayor Fullmer explained that the rail spur update was not ready because they were still negotiating. She asked Mr. Ellis to follow up with Ms. Evans on the tax incentives. She said that as they talked about housing, they were working on a caveat that gave credit to cities that had already accounted for affordable housing. She noted that the 400 North crossing in the Active Transportation Plan was a top priority and would be more than just a pedestrian bridge but hoping for full access. She mentioned a prioritization process on the website for snow removal.

► Councilmember Holdaway asked if there was an annual report on tax incentives. Mayor Fullmer felt that they could talk about some of the options.

► There was discussion about public comment feedback. Mr. Blakesley explained how public comment typically worked.

► Councilmember Holdaway stated that he was grateful for the impact fee and asked about council assignments. Mayor Fullmer replied that she was working on the rail spur crossing along with a staff member.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

► Councilmember Holdaway thanked the department heads who met with him and Councilmember Cameron. He felt meeting with the city's lobbyist would be helpful. He also wanted employees to contact him and Councilmember Cameron if they had concerns.

► Mayor Fullmer clarified that an email had gone out to the council about meeting with the lobbyist and to reach out to Mr. Ellis to facilitate meetings with the different programs and staff.

► Councilmember Rasmussen gave an update on bills to watch and the cities priorities in the state legislature. She added that she and staff had met with members of Sienna's family to work on her memorial.

► Councilmember Sifuentes commented on the Day at the Legislature.

► Councilmember Holdaway asked how he could get items on the agenda. Mayor Fullmer asked the council to reach out to her.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 ► City Manager Eric Ellis gave departmental updates. He reminded the residents of the snow removal regulations. Councilmember Sifuentes asked for clarification on the building permits. Chief Building Official Cris Johnson replied that they were model homes. Councilmember Holdaway asked about the connectivity on 400 South. Mr. Brim replied that it was part of a phase in the development agreement.

- 5.2 ► Community Development Director, Morgan Brim, noted that there was nothing to report.

6. CONSENT ITEMS

6.1 Approval of the December 13, 2023, City Council Meeting Minutes

6.2 Approval of the December 27, 2024, City Council Meeting Minutes

6.3 Approval of the January 10, 2024, City Council Meeting Minutes

6.4 Approval of an Amendment to the ILA with Utah County for CTC (Resolution 2024-02)

6.5 Approval of an Amendment to the 2024 City Council Meeting Schedule (Resolution 2024-03)

► Councilmember Holdaway asked to pull 6.4 from consent for discussion. He asked for clarification on how we take minutes. City Recorder Pamela Spencer explained that they had a transcription service on SuiteOne, which people can access. She added that there were bookmarks once the minutes were approved.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE CONSENT ITEMS 6.1, 6.2, 6.3, AND 6.5. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

6.4 Approval of an Amendment to the ILA with Utah County for CTC (Resolution 2024-02)

► Councilmember Holdaway asked about the amendment, not realizing the commitment from the city. Mayor Fullmer explained the program. A discussion ensued about the contract vs the amendment.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE DISCUSSION ITEM 6.4. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

7. APPOINTMENTS

7.1 Vineyard Bicycle Commission

With the advice and consent of the City Council, Mayor Fullmer will appoint Jordan Christensen and reappoint Mike Houston and Anthony Jenkins as regular members of the to the Vineyard Bicycle Commission.

► Mayor Fullmer reviewed the appointments and then called for a motion. There was a brief discussion about the commission.

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

7.2 Finance Director

With the advice and consent of the City Council, Mayor Fullmer will appoint a new Finance Director.

► Mayor Fullmer reviewed the appointment of Kristie Bayles as the Finance Director and called for a motion.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE THE MAYOR'S APPOINTMENT OF KRISTIE BAYLES AS THE FINANCE DIRECTOR. COUNCILMEMBER CAMERON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

► Ms. Bayles introduced herself and stated that she looked forward to working with staff in her new position.

8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

8.1 Richard Mickelsen with Timpanogos Special Service District (TSSD) will present TSSD Fee Changes.

This item was moved to the beginning of the meeting.

► Mr. Blakesley disclosed that his law firm also represented TSSD.

► Mr. Ellis introduced Mr. Mickelsen.

► Mr. Mickelsen presented the TSSD fee changes and showed a short video.

► Mayor Fullmer asked about the fee schedule increases. Mr. Mickelsen replied that the board wanted to be able to control the increases annually. There was a discussion about grants, bond obligations, Equivalent Residential Units (ERUs), and Impact Fee Studies.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING –Budget Amendment Resolution 2024-01

(This item was continued from the January 10, 2024 City Council Meeting.)

City Manager, Eric Ellis, will present proposed amendments to the Fiscal Year 2023-2024 Budget. The mayor and city council will act to adopt (or deny) this request by resolution. *(A public hearing was held on this item during the January 10, 2024 City Council Meeting.) (This item is being continued to the February 28, 2024 City Council meeting.)*

► Mayor Fullmer called for a motion to continue this item to the next City Council meeting.

► **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO CONTINUE ITEM 9.1 BUDGET AMENDMENT TO THE FEBRUARY 28, 2024 CITY COUNCIL MEETING. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER,

COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.2 PUBLIC HEARING – Subdivision Code Amendments (Ordinance 2024-01, 02, & 03)

Planner Anthony Fletcher will propose amendments to the following section of the Vineyard City Code: 14.04 *Pre-Application meeting*, 14.06 *Preliminary Subdivision Application*, 14.08 *Final Subdivision Application*, 15.34.060 *Accessory Dwelling Units*, 15.40.080 *Design Standards and Requirements*, and 15.06.060 *Vineyard Development Review Committee*. The mayor and City Council will act to adopt or deny this request by Ordinance.

Ordinance 2024-01 Preliminary Subdivision Process

Ordinance 2024-02 Final Subdivision Process

Ordinance 2024-03 Zoning Text amendments including DRC

- ▶ Mayor Fullmer called for a motion to open the public hearing.
- ▶ **Motion:** COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 7:50 PM. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
- ▶ Planner Anthony Fletcher explained the reason for the recommended code changes and then presented the changes to the subdivision code.
- ▶ Mayor Fullmer clarified the changes by the State Legislature on Development Review Committee (DRC) compliance.
- ▶ Mr. Fletcher continued his presentation.
- ▶ Mayor Fullmer called for questions from the public regarding the updates. Hearing none, Mr. Fletcher continued his presentation. There was a brief discussion about the timeframe between the submission of the preliminary and final plat. The presentation continued.
- ▶ There was a discussion about parking in single-family homes, Accessory Dwelling Units, and Homeowners Associations.
- ▶ Mr. Fletcher concluded his presentation. Mayor Fullmer requested that they remove the word Orem under the Fire Marshall position.
- ▶ Mayor Fullmer called for questions from the public.
- ▶ Ms. Evans commented on the landscaping amendment to put it back on the developer, not the homeowner. Mr. Blakesley replied that the state removed the authority from the city and explained that the city could only withhold a certificate of occupancy for life and safety issues.
- ▶ Ms. Miller pointed out that the council's power lies in the zoning ordinances.

► Councilmember Cameron read a statement from a resident who recommended that the city require preliminary submittals to fall in line with other cities at 75 percent instead of 50 percent construction drawings.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO CLOSE THE PUBLIC HEARING AT 8:09 PM. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

► Mr. Brim asked for clarification on the 50 percent requirement. Mr. Fletcher replied that it was a state requirement. Mayor Fullmer recommended residents reach out to their state legislatures. Mr. Blakesley explained that the state was limiting the level of completion the city could require. There was a discussion about the process.

► Councilmember Sifuentes asked if the commercial, mixed-use or multi-family had to have the same requirements. Mr. Blakesley replied that they did not have to have the same process but recommended that the city have one process to allow staff time for reviews. A discussion ensued.

► Councilmember Sifuentes expressed concern with the approval process and felt that she, as a councilmember, should have more access to the plats. Mr. Brim stated that the DRC would be a publicly held meeting. He suggested they create an online GIS database for public access. A discussion ensued.

► Councilmember Holdaway asked about the Planning Commission's appointments and their role in the preliminary plat process. A discussion ensued about legislative and administrative procedures.

► Councilmember Sifuentes asked for clarification on what authority the council would be losing. Mr. Blakesley explained that the decision made by the elected body would make the policy fair, by consensus. Planning Commission and staff had to follow the land use ordinance. The Commission would be bound by the code. He reviewed what plats were and the approval and signing process. Mr. Blakesley explained that the Planning Commission code had been established by state law. He added that Planning Commissions had staggered terms. There was a discussion about legislative and administrative procedures.

► Mr. Brim reviewed the suggested motions.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT ORDINANCE 2024-01, PRELIMINARY SUBDIVISION APPLICATIONS, AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION.

► Mayor Fullmer called for comments. Councilmember Holdaway asked for a point of clarification on the code amendment. Councilmember Sifuentes explained why she supported this ordinance. A discussion ensued. There was also a discussion about the making of motions.

► Councilmember Holdaway requested a friendly amendment to the motion to separate the commercial and multi-family from the single-family and townhomes. A discussion ensued. Councilmember Holdaway asked about changing the 50 percent requirement. Mr. Brim felt that the 50 percent requirement was sufficient to meet the requirements. The discussion continued.

ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER HOLDAWAY VOTED NO. THE MOTION CARRIED FOUR (4) TO ONE (1).

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT ORDINANCE 2024-02, FINAL SUBDIVISION APPLICATIONS WITH THE AMENDMENT THAT THE FINAL PLAT BE RECORDED AT UTAH COUNTY WITHIN ONE (1) YEAR, WITH THE OPTION FOR AN APPLICANT TO PETITION THE DRC FOR A SIX (6) MONTH EXTENSION. THE APPLICANT MAY RECEIVE UP TO TWO (2) EXTENSIONS. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBER CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT ORDINANCE 2024-03, DEVELOPMENT REVIEW COMMITTEE, ACCESSORY DWELLING UNIT PARKING, AND LANDSCAPING BONDS, WITH THE FOLLOWING CONDITIONS INSTEAD OF SAYING OREM FIRE MARSHALL IT WILL SAY FIRE MARSHALL. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. (MAYOR FULLMER STATED, FOR THE RECORD, THAT THE ENTIRE COUNCIL HAD RESERVATIONS ABOUT THE CHANGES TO THE STATE REGULATIONS.) ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, RASMUSSEN, AND COUNCILMEMBER SIFUENTES VOTED YES. COUNCILMEMBER HOLDAWAY VOTED NO. THE MOTION CARRIED FOUR (4) TO ONE (1).

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

► Mayor Fullmer adjourned the meeting at 8:56 PM.

MINUTES APPROVED ON: February 21, 2024

CERTIFIED CORRECT BY: *Paula D. Spencer*
PAMELA SPENCER, CITY RECORDER

