



**NOTICE OF A REGULAR
CITY COUNCIL MEETING
March 13, 2024, at 6:00 PM**

PUBLIC NOTICE is hereby given that the Vineyard City Council will hold a regularly scheduled City Council meeting on Wednesday, March 13, 2024, at 6:00 PM, in the City Council Chambers at City Hall, 125 South Main Street, Vineyard, UT. This meeting can also be viewed on our [live stream page](#).

AGENDA

Presiding Mayor Julie Fullmer

- 1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE**
- 2. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS**
 - 2.1.** Utah Department of Environmental Quality, Division of Waste Management and Radiation Control Presentation
Paige Walton and Jasin Olsen, Program Managers from the Utah Department of Environmental Quality (DEQ), Division of Waste Management and Radiation Control will provide an overview of the remediation processes for the old Geneva Steel Cooling Pond areas designated as SI-5A & SI-5B and the criteria and procedures leading to a No Further Action (NFA) designation.
- 3. WORK SESSION**
 - 3.1. Transportation Master Plan Update.** Hales Engineering will provide an update to the Transportation Masterplan (TMP)
 - 3.2. Municipal Code Amendment Title 3 Calling of Special Meetings (Ordinance 2024-05)**
 - 3.3. Municipal Code Amendment Title 3 Establishing Rules of Order and Procedures (Ordinance 2024-06)**
 - 3.4. Document Training**
City Attorney Jayme Blakesley will train the council and staff on document procedures.
- 4. PUBLIC COMMENTS**

“Public Comments” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to two minutes. Because of the need for

proper public notice, immediate action cannot be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda; however, the Council may elect to discuss the item if it is an immediate matter of concern. *Public comments can be submitted ahead of time to pams@vineyardutah.org.*

5. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

6. CONSENT ITEMS

6.1. Approval of the February 20, 2024, City Council Planning Retreat Minutes

6.2. Approval of the February 21, 2024, City Council Meeting Minutes

6.3. Display of the Utah historic state flag

7. APPOINTMENTS

8. BUSINESS ITEMS

8.1. PUBLIC HEARING – Budget Amendment Resolution 2024-01

(This item was continued from the January 10, January 24, and February 21, 2024, City Council Meetings.)

Finance Director, Kristie Bayles, 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.)

Budget Amendment #3

8.2. PUBLIC HEARING - General Plan Update - Goal 2 Technology Element

Economic Development Director Morgan Brim will present the Technology Element of the General Plan to provide guidance in safeguarding privacy and protection of sensitive information in technology implementation. The City Council will act to adopt (or deny) this request by Ordinance.

8.3. DISCUSSION AND ACTION - Vineyard Day's Celebration - Fireworks or Drone Show

9. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of (these are just a few of the items listed, see Utah Code 52-4-205 for the entire list):

- a discussion of the character, professional competence, or physical or mental health of an individual
- b strategy sessions to discuss collective bargaining
- c strategy sessions to discuss pending or reasonably imminent litigation
- d strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares
- e strategy sessions to discuss the sale of real property, including any form of a water right or water shares

- f discussion regarding deployment of security personnel, devices, or systems
- g the purpose of considering information that is designated as a trade secret, as defined in Section [13-24-2](#), if the public body's consideration of the information is necessary in order to properly conduct a procurement under [Title 63G, Chapter 6a, Utah Procurement Code](#)

10. ADJOURNMENT

The next meeting is on March 27, 2024.

This meeting may be held in a way that will allow a councilmember to participate electronically. The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I, the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON:

March 12, 2024

CERTIFIED (NOTICED) BY:

/s/Pamela Spencer

PAMELA SPENCER, CITY RECORDER

VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: March 13, 2024

Agenda Item: **Transportation Master Plan Update. Hales Engineering will provide an update to the Transportation Masterplan (TMP)**

Department: Engineering Department

Presenter: Patrick James, Naseem Ghandor

Background/Discussion:

Introduction:

Vineyard City, known for its extensive and evolving multimodal transportation system, faces challenges driven by city-wide growth. The necessity to anticipate and address the demands on the transportation network has become evident. To proactively manage this, a comprehensive set of plans is proposed, including a Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis.

Objective:

The overarching goal is to provide Vineyard City with a robust framework to forecast, plan, budget, and maintain its multimodal transportation network. These plans will be indispensable guides for informed decision-making and align with the city's growth trajectory.

Components of the Plan:

1. Transportation Masterplan (TMP):

- Focus on maximizing efficiency: The TMP will strategically optimize the transportation network to enhance overall effectiveness.
- Environmental considerations: Special attention will be given to minimizing environmental impacts and aligning with sustainable development practices.
- Quality of Life and Economic Vitality: Improvements outlined in the TMP aim to enhance residents' overall quality of life and foster economic vitality within Vineyard City.

1. Capital Facilities Plan (CFP):

- Budgetary planning: The CFP will outline the financial requirements for implementing the proposed transportation improvements.
- Long-term infrastructure planning: It will provide a road map for the phased development of capital facilities, aligning with the city's growth projections.

1. Impact Fee Facilities Plan and Impact Fee Analysis:

- Financial sustainability: These plans will ensure the proposed transportation enhancements are financially viable and sustainable.
- Equitable distribution: The Impact Fee Analysis will explore the fair allocation of

fees to various stakeholders, promoting fairness in funding.

Presentation by Hales Engineering:

Hales Engineering, a recognized leader in transportation engineering, will present these plans. Their expertise and experience align seamlessly with the objectives of Vineyard City's Transportation Masterplan.

Benefits:

The implementation of these plans will offer Vineyard City the following advantages:

1. **Strategic Planning:** A well-defined road map for future transportation development.
2. **Financial Prudence:** Clear budgetary guidelines for efficient allocation of resources.
3. **Environmental Stewardship:** Minimization of environmental impacts through thoughtful planning.
4. **Community Enhancement:** Improved quality of life for residents and increased economic opportunities.

Conclusion:

The proposed Transportation Master Plan and associated frameworks, presented by Hales Engineering, are crucial tools for Vineyard City to navigate its evolving transportation landscape. By addressing the challenges of growth and ensuring a sustainable, efficient, and environmentally conscious transportation network, these plans will contribute significantly to the city's overall prosperity.

Fiscal Impact:

None

Recommendation:

Staff recommends that the City Council directs staff to proceed with developing a finalized Capital Project list and Impact Fee Assessment that aligns with the proposed TMP and start with the Public Hearings.

Sample Motion:

"I motion to direct staff to progress with finalizing the Transportation Master Plan to include the proposed Capital Project list and Impact Fee Assessment and initiating Public Hearings, thereby bringing the finalized plan to City Council for final review and approval."

Attachments:

None

**VINEYARD
ORDINANCE 2024-05**

AN ORDINANCE OF THE CITY COUNCIL OF VINEYARD CITY, STATE OF UTAH, AMENDING TITLE 3 ESTABLISHING RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS, PUBLIC COMMENT, COUNCIL DISCUSSION, COUNCIL REPORTS, PUBLIC HEARINGS, REQUESTS FOR INFORMATION FROM STAFF BY MEMBERS OF THE CITY COUNCIL, PARAMETERS FOR COUNCIL-STAFF INTERACTIONS; ESTABLISHING ADDITIONAL PROCEDURES CONSISTENT WITH UTAH CODE SECTION 10-3-502; PROVIDING FOR THE REGULATION OF THE TIME, NOTICE, AND PURPOSES FOR WHICH SPECIAL MEETINGS MAY BE CALLED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Vineyard City Council recognizes the need for orderly and efficient conduct of its meetings to effectively govern and address the needs of the community; and

WHEREAS, establishing clear rules of order and procedure for City Council meetings, public comment, council discussion, council reports, public hearings, requests for information, and interactions between council members and city staff will respect limitations on city resources, enhance transparency, public participation, and effective decision-making.

WHEREAS, Utah Code Section 10-3-502 provides that any two city council members may call special meetings of the city council provided they follow the procedures contained in the statute; and

WHEREAS, it is the intent of the City Council to establish such additional procedures to ensure that special meetings are called in a manner that respects the time and obligations of all council members and the public, while ensuring the efficient and effective governance of the city;

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “3.01 Applicability” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.01 Applicability(*Added*)

This ordinance shall apply to all meetings of the City Council, including regular, special, and emergency meetings, as defined by state law and city ordinances.

SECTION 2: **ADOPTION** “3.02 Regular Meetings” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.02 Regular Meetings(*Added*)

SECTION 3: **ADOPTION** “3.02.010 Time, Place; Exceptions” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.02.010 Time, Place; Exceptions(*Added*)

The city council shall hold 2 regular meeting(s) which shall be held on the second and fourth Wednesdays of each month at the offices of the municipality, which meeting(s) shall begin promptly at 6 o'clock PM provided that:

- A. If the meeting date is a legal holiday, then the meeting shall be canceled; and
- B. The city council may by resolution provide for a different time and place for holding regular meetings of the governing body.

SECTION 4: **ADOPTION** “3.03 Public Meetings; Closed Sessions; Records And Publications” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.03 Public Meetings; Closed Sessions; Records And Publications(*Added*)

SECTION 5: **ADOPTION** “3.03.010 Public Meetings; Closed Sessions; Records And Publications;” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.03.010 Public Meetings; Closed Sessions; Records And Publications;*(Added)*

All meetings of the Vineyard City Council shall be noticed, held, conducted, and recorded in accordance with the provisions of Utah Code Annotated §§ 10-3-601 and 52-4-101 et seq.

SECTION 6: **ADOPTION** “3.04.010 Rules Of Order” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.04.010 Rules Of Order*(Added)*

Except as is required by state law or modified by municipal ordinance, all meetings of the City Council shall be conducted in accordance with the last published version of Roberts Rules of Order.

SECTION 7: **AMENDMENT** “3.04.020 Time, Place; Exceptions” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

3.04.020 ~~Time, Place; Exceptions~~Formation of the Agenda

~~The city council shall hold 2 regular meeting(s) which shall be held on the second and fourth Wednesdays of each month at the offices of the municipality, which meeting(s) shall begin promptly at 6 o'clock PM provided that:~~

- ~~A. If the meeting date is a legal holiday, then the meeting shall be canceled.~~
- ~~B. The city council may by resolution provide for a different time and place for holding regular meetings of the governing body.~~

~~C.~~

- A. Agenda Established by the Mayor In accordance with State law, the Mayor is the chair of the Council, presides at council meetings, and is responsible for establishing the agenda for all City Council meetings. In doing so, the Mayor shall consider the city's needs, pending business, and any timely matters requiring Council attention. The agenda shall be prepared in consultation with the City Manager and City Recorder to ensure it reflects ongoing city operations and priorities.

- B. Council Member Requests Any two council members may request that an item be

- placed on the agenda for a forthcoming City Council meeting. Such requests must be submitted in writing to the Mayor and the City Recorder at least seven (7) calendar days before the scheduled meeting to allow for adequate preparation and public notice. The request must include a brief description of the item and the reason for its inclusion.
- C. Inclusion of Requested Items Items requested by any two council members for inclusion on the agenda must be placed on the agenda unless deemed legally or procedurally inappropriate for City Council consideration. In such cases, the mayor shall provide a written explanation to the requesting council members within three (3) days of the submission, detailing the reasons for the exclusion, and, if the two requesting council members desire, the proposed agenda item shall be brought to the council at its next regular meeting for a vote on whether to add the item to a future agenda.
 - D. Agenda Publication The agenda, including items requested by council members, shall be published and made available to the public in accordance with the requirements of state law.
 - E. Emergency or Urgent Matters Notwithstanding the above provisions, the mayor may add items of emergency or urgent nature to the agenda after the publication deadline, subject to legal requirements and the provision for emergency meetings outlined in state law and municipal ordinance. Any such late additions must be clearly identified as emergency or urgent matters and include a justification for their late inclusion.
 - F. Adjustments to the Agenda The mayor, or the City Council by majority vote, may make adjustments to the published agenda, including the re-ordering of the agenda or removal of items overtaken by events, provided such changes comply with legal requirements and the principles of transparency and public participation.

SECTION 8: ADOPTION “3.04.030 Public Comment” of the Vineyard Municipal Code is hereby *added* as follows:

A D O P T I O N

3.04.030 Public Comment(*Added*)

- A. A designated period for public comment shall be included on the agenda or every regular City Council meeting.
- B. Members of the public wishing to speak must sign up before the meeting begins, providing their name and the topic they wish to discuss.
- C. During a period designated for public comment, the mayor or chair may allot each speaker a maximum amount of time of not less than two (2) minutes to present their

comments, subject to extension by the mayor or by a majority vote of the council. Speakers offering duplicate comments may be limited.

- D. The City Council reserves the right to organize public comments by topic and may group speakers accordingly.

SECTION 9: ADOPTION “3.04.040 Council Discussion” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.04.040 Council Discussion(*Added*)

- A. Orderly Discussion Encouraged Following presentation of an item on the agenda and public comment/hearing, when applicable, council members may engage in discussion regarding items on the agenda. Discussion shall be conducted in a civil and orderly manner, with council members speaking only after being recognized by the Chair.
- B. Discussion Limited to Matter under Discussion Council members must confine their remarks to the matter under discussion.
- C. Equitable Participation To ensure balanced participation, each council member wishing to speak on an agenda item must be recognized by the chair before proceeding. All council members have the right to speak, but the chair may limit time for initial discussion by each council member to present their views or questions on each agenda item to prevent duplication or monopolization of the discussion
- D. Rotation of Speaking Order The chair shall rotate the order in which council members are recognized to speak, ensuring that all members have an equal opportunity to contribute early in the discussion of each agenda item.
- E. Additional Rounds of Discussion: If a council member wishes to speak again on the same item, they may do so after all other members have had the opportunity to speak, time permitting. The chair may limit the time for additional rounds of discussion to maintain focused and efficient meetings.
- F. Moderation by the Chair The chair is responsible for enforcing these discussion rules and ensuring that no single member dominates the conversation. The chair may remind members of discussion time limits and rotate speaking opportunities to foster a collaborative and respectful dialogue.
- G. Use of a Speaking Queue To facilitate orderly and fair discussion, the chair may establish a speaking queue for council members to signal their desire to speak on an

agenda item. The chair will recognize members in the order they signal their intent, subject to the rotation and time limit rules.

- H. Point of Order for Equitable Participation Any council member may raise a "point of order" if they believe the discussion rules are not being followed, particularly regarding equitable participation. The chair must immediately address the point of order by reviewing the speaking order and time allocations, making any necessary adjustments to comply with these rules.

SECTION 10: **ADOPTION** “3.04.050 Council Reports” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.04.050 Council Reports(*Added*)

Council members may provide reports on committees, liaison assignments, and other relevant activities during a designated portion of the meeting. Reports should be concise and focused on matters of public interest or council business.

SECTION 11: **ADOPTION** “3.04.060 Public Hearings” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.04.060 Public Hearings(*Added*)

- A. Public hearings required by law or deemed necessary by the City Council shall be scheduled and conducted in accordance with state law and city ordinances.
- B. Notice of public hearings shall be provided as required by law, with details on the purpose, time, and location of the hearing.
- C. Procedures for public comment shall apply to public hearings, with modifications as necessary to accommodate legal requirements and the nature of the hearing.

SECTION 12: **ADOPTION** “3.04.070 Requests For Information From Staff”
of the Vineyard Municipal Code is hereby *added* as follows:

A D O P T I O N

3.04.070 Requests For Information From Staff(*Added*)

- A. Council Members May Request Information Council members may request information from city staff to aid in decision-making, oversight, and the performance of their official duties. Such requests shall be directed to the City Manager or a designated staff member through official channels.
- B. Limitations on Information Requests Requests for information shall be specific, directly related to council business, and necessary for the conduct of official duties.
 - 1. To ensure the efficient operation of city services and prevent undue burden on staff resources, individual council members shall not submit more than two (2) significant requests for information at any one time without approval from the City Council or a designated committee. Significant request means any request requiring staff time or resources exceeding three (3) hours of staff time or involving the compilation of data from multiple sources.
 - 2. Significant requests must be approved by Mayor, City Manager, or a majority vote of the City Council. This is to ensure that extensive information gathering is aligned with the Council's priorities and does not detract from city operations.
 - 3. The City Manager or their designee may request clarification or modification of any request deemed overly broad, unclear, or excessively burdensome, and may propose an alternative approach to satisfy the information need in a less resource-intensive manner.
- C. Response Time and Format
 - 1. Staff shall respond to information requests within a reasonable timeframe, not exceeding ten (10) business days, unless the nature of the request necessitates a longer period. In such cases, staff shall communicate the expected timeline for response to the requesting council member.
 - 2. Responses to information requests may be provided in written, oral, or electronic format, as deemed appropriate by the City Manager or the staff member fulfilling the request, taking into consideration the request's scope and the most effective means of communication.
- D. Adherence to Records Laws If there are questions whether a request is for records that include private, protected, or controlled information, the City Manager, in consultation with the City Recorder and City Attorney, may respond to requests for information following the rules and procedures of state records laws.

- E. Annual Review of Information Requests The City Manager shall compile an annual report summarizing the nature and scope of significant information requests received, the resources required to fulfill these requests, and any issues encountered. This report will be presented to the City Council for review and consideration in the adjustment of these limitations, if necessary.
- F. Respect for City Resources To ensure the availability of city resources for core municipal priorities or services, the City Manager may prioritize requests based on urgency, legal requirements, and resource availability. Requests that relate to upcoming business of the city council or that have strong support from the community, stakeholders, or key decision-makers may be given priority due to the broader interest or impact.

SECTION 13: **ADOPTION** “3.04.080 Parameters For Council-Staff Interactions” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.04.080 Parameters For Council-Staff Interactions(*Added*)

- A. General Principles Council members shall interact with city staff through established protocols, primarily directing inquiries and requests for action to the Mayor, City Manager, or appropriate department heads. This ensures a structured and efficient flow of communication and task delegation within city operations. All interactions between council members and city staff shall be communicated to the Mayor or City Manager as appropriate and conducted in a professional, respectful manner, recognizing the distinct roles each plays in the governance and administration of the city.
- B. Limitations on Directives to Staff: Council members shall refrain from giving direct orders to individual staff members, except as provided by law or in the scope of their official capacities. Operational tasks and directives should be communicated through the Mayor, City Manager, or relevant department heads to maintain organizational structure and respect the chain of command. Requests for action or investigation by council members that involve significant staff time, resources, or deviation from planned work must be communicated to the City Council and approved by the Mayor or City Manager, or brought before the City Council and approved by a majority vote.

This procedure ensures that such requests align with overall city priorities and resource capabilities.

- C. Protection from Undue Influence City staff shall be protected from undue pressure or influence in the performance of their duties. Any attempts by council members to coerce or unduly influence staff decisions or actions that contravene professional standards, city policies, or ethical guidelines will be subject to review and possible action by the City Council or appropriate oversight body. The City Manager shall establish a confidential process for staff to report concerns about inappropriate interactions or directives from council members, ensuring these concerns can be addressed without fear of retaliation.
- D. Training and Education The city shall provide regular training sessions for both council members and staff on effective communication, the roles and responsibilities of council members and staff, and strategies for maintaining professional relationships within city governance. This will help in setting clear expectations and fostering a collaborative working environment.
- E. Review and Monitoring The City Manager, in collaboration with the Human Resources Department, shall monitor council-staff interactions and provide periodic reports to the City Council. These reports should highlight any systemic issues, trends in requests that strain resources, and recommendations for improving the effectiveness of council-staff interactions. Based on these reports, the City Council may consider adjustments to policies governing council-staff interactions to ensure they remain constructive, respectful, and in the best interest of efficient city governance.

SECTION 14: **AMENDMENT** “3.08.020 Electronic Meeting Requirements”
of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

3.08.020 Electronic Meeting Requirements

- A. Electronic Meeting Requirements. No meeting of a public body of the City may be convened and held as an electronic meeting except on the following conditions.
1. A request for an electronic meeting has been made by a member of a public body, to the City Recorder, at least three days prior to the date of the meeting to allow for arrangements to be made for the electronic meeting; and
 2. A majority of the public body has agreed to approve the meeting to be an electronic meeting; and
 3. Except as provided for in section 3.08.020(C) an anchor location is established at which the City Recorder is present and the public may be present and participate; and
 4. A quorum of the public body is not required to be present at the anchor location; and
 5. Notice of the electronic meeting has been given as provided herein.
- B. Notice of Electronic Meetings. The City Recorder, upon receiving a request from a member of a public body for a meeting to be convened as an electronic meeting, shall give public notice of the meeting as required by Utah Code section 52-4-202 of the Utah Open and Public Meetings Act; and post written notice at the anchor location for the meeting. The City Recorder shall in addition to giving the public notice required by Utah Code section 52-4-202, provide notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present. The notice to the members of the public body shall give a description of how the members will be connected to the electronic meeting.
- C. Place of meeting. The City Recorder shall establish one or more anchor locations for the public meeting, at least one of which shall be where a public body would normally meet if they were not holding an electronic meeting.
- D. Meeting Facilities. The City Recorder shall see that space and facilities are provided for at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting; and if the meeting includes a public hearing, provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- E. Emergency Meetings without an Anchor Location
1. A public body may convene and conduct an electronic meeting without an anchor location if the chair of the public body:
 - a. makes a written determination (proclamation) that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;
 - b. states in the written determination described in (A)(1) of this section, the facts upon which the determination is based;
 - c. includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in A (1) and (2) of this section; and
 - d. includes in the public notice information on how a member of the public may view or make a comment at the meeting.

2. A written determination described in (A)(1) and (2) expires 30 days after the day on which the chair of the public body makes the determination and shall continue for an additional 15 days upon consent of the City Council by resolution, unless terminated earlier by proclamation or further extended by resolution by the City Council.
3. Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Utah Code Sections 52-4-201 and 52-4-202.

SECTION 15: **AMENDMENT** “3.08.030 Emergency Meetings” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

3.08.030 ~~Emergency Meetings~~ This sections if being moved to 3.10

- A. ~~A public body may convene and conduct an electronic meeting without an anchor location if the chair of the public body:~~
 1. ~~makes a written determination (proclamation) that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location;~~
 2. ~~states in the written determination described in A(1) of this section, the facts upon which the determination is based;~~
 3. ~~includes in the public notice for the meeting, and reads at the beginning of the meeting, the information described in A (1) and (2) of this section; and~~
 4. ~~includes in the public notice information on how a member of the public may view or make a comment at the meeting.~~
- B. ~~A written determination described in A(1) and (2) expires 30 days after the day on which the chair of the public body makes the determination and shall continue for an additional 15 days upon consent of the City Council by resolution, unless terminated earlier by proclamation or further extended by resolution by the City Council.~~
- C. ~~Compliance with the provisions of this section by a public body constitutes full and complete compliance by the public body with the corresponding provisions of Utah Code Sections 52-4-201 and 52-4-202.~~

SECTION 16: **ADOPTION** “3.10 Special And Emergency Meetings” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.10 Special And Emergency Meetings(*Added*)

SECTION 17: **ADOPTION** “3.10.010 Definitions” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.10.010 Definitions(*Added*)

For the purposes of this ordinance, the following terms shall have the meanings ascribed to them: "Business Day" means any day except Saturday, Sunday, and any federal or state holiday. "Emergency Meeting" means a meeting called to address an issue that poses a clear and immediate danger to the health, welfare, or safety of the public, or a critical necessity to protect the public interests, which cannot be delayed until a regularly scheduled meeting or a special meeting can be called. "Special Meeting" means a meeting called by any two city council members as provided for under Utah Code Section 10-3-502 and under the provisions of this ordinance.

SECTION 18: **ADOPTION** “3.10.020 Special Meetings” of the Vineyard Municipal Code is hereby *added* as follows:

ADOPTION

3.10.020 Special Meetings(*Added*)

- A. No Special Meetings on Weekends or Holidays Special meetings may not be called to convene on weekends (Saturday and Sunday) or on federal or state holidays, except in cases of emergency involving public health, safety, or welfare that require immediate action, or when called by consent of the majority of the members of the city council.
- B. Notice Requirements for Special Meetings Unless impractical, notice for a special meeting must be given at least 48 hours in advance of the meeting, excluding weekends and federal or state holidays. Such notice must be provided to all council members and made publicly available in accordance with state law. The notice for a special meeting must clearly state the purpose of the meeting, and that no business

other than that specified in the notice may be transacted at such meeting. Unless a majority of the members of the city council have signed the order calling for a special meeting, the notice for a special meeting must state the following: "Pursuant to the authority granted by Utah Code § 10-3-502, two members of the City Council for Vineyard City, Utah, have called for a special meeting of the council to address matters for consideration. Because a quorum of the City Council has not ordered the meeting, this meeting is to receive public comments only and no action shall be taken."

- C. Statement of Necessity Any two council members calling a special meeting must provide a written statement in the order convening the meeting and in the public notice for the meeting specifying the reasons why the meeting is necessary and why the business cannot be delayed until the next regular meeting.
- D. Limitations on Frequency No more than two (2) special meetings may be ordered by the Mayor or any one member of the City Council within any calendar year, except in cases of declared emergencies that fall under the provisions outlined in Section 3.10.030 (Emergency Meetings). This limitation is designed to ensure that the provision for special meetings is utilized judiciously and only when necessary to address matters that cannot reasonably wait until the next regular meeting. Special meetings ordered by a majority of Council members can be called without limitation.
- E. Prevention of Duplication Prior to ordering a special meeting, the requesting council members must provide a written declaration to the City Recorder that the subject matter of the proposed meeting has not been addressed in a regular or special meeting within the preceding year. Unless there is a significant change in the circumstances or new information has emerged that necessitates further deliberation, a special meeting may not be ordered for a subject matter that has been addressed in a regular or special meeting within the preceding year. The City Clerk shall maintain a register of all special and emergency meetings called, including the dates and topics discussed, to assist in enforcing this provision and ensuring compliance.
- F. Review Process for Special Meeting Requests Upon receipt of a request for a special meeting, the City Recorder, in consultation with the City Attorney, shall review the request to ensure it complies with the frequency and duplication limitations set forth in this ordinance. If a request does not comply, the City Recorder shall notify the requesting council members in writing, detailing the reasons for non-compliance and advising on the next steps.
- G. Appeal Process Council members whose request for a special meeting has been denied due to frequency or duplication limitations may appeal the decision to the full City Council at the next regular meeting. The appeal must be submitted in writing at least five (5) business days before the regular meeting. The City Council may, by a majority vote, override the decision and add the subjects of the special meeting to a future regular meeting or authorize the calling of the special meeting if it finds that the issues to be addressed are of urgent public importance and cannot be postponed.

SECTION 19: **ADOPTION** “3.10.030 Emergency Meetings” of the Vineyard Municipal Code is hereby *added* as follows:

A D O P T I O N

3.10.030 Emergency Meetings(*Added*)

- A. Emergency Meetings Permitted Notwithstanding the restrictions placed on the calling of special meetings in Sections 3.10-040, an "Emergency Meeting" may be called in accordance with Utah Code Section 52-4-202, when a matter of urgent public importance requiring immediate action by the City Council arises.
- B. Notice Required for Emergency Meetings The person or persons calling an emergency meeting must notify all members of the City Council and the public as soon as practically possible of the time, place, and topics to be considered. The notice must include a description of the emergency necessitating the meeting. Every effort must be made to provide notice of an emergency meeting to the public by the most expedient means available, including but not limited to, posting on the city's official website, and through any available public announcement systems.
- C. Limitations on Emergency Meetings During an emergency meeting, the City Council may only discuss and take action on the emergency issue(s) for which the meeting was called. A detailed explanation of the emergency and the necessity for calling the emergency meeting must be included in the minutes of the meeting.
- D. Transparency The City Council is encouraged to conduct emergency meetings with the highest degree of transparency possible under the circumstances. Whenever feasible, provisions should be made to allow public attendance and observation of the meeting.

SECTION 20: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 21: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 22: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from March 127, 2024 and after the required approval and publication according to law.

SECTION 23: **ENFORCEMENT AND COMPLIANCE**The mayor is hereby directed to take all steps necessary to enforce the provisions of this ordinance. Any violation of this ordinance by a council member shall be subject to review and possible sanction by the City Council, consistent with the city's policies and procedures and applicable law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Sara Cameron	_____	_____	_____	_____
Jacob Holdaway	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder,
Vineyard



HAYES
GODFREY
BELL
LAWYERS

MEMORANDUM

Hayes Godfrey Bell, P.C.
(Mazuran and Hayes 1992, 2014)

2118 East 3900 South, Ste. 300
Holladay UT 84124
☎ (801) 272-8998

To: Members of the Vineyard City Council
Vineyard City Staff

From: Jayme Blakesley, City Attorney 

Date: March 12, 2024

Subject: Guidelines on Records Requests; GRAMA Compliance; Confidentiality; and
OPMA Obligations

I. INTRODUCTION

This past month, members of the Vineyard City Council have requested records from city staff at a volume and about subjects that have prompted questions from staff. These requests have been for financial data, contracts, e-mail and text communication, and property and sales tax data related to city expenditures generally, city contracts and communication with a third-party software/service provider that was a party to recent litigation against a newly elected member of the City Council, and sales tax data relating to Redevelopment Agency (“RDA”) commitments. The requestors of this information have expressed an urgent need to get the requested records.

These requests have raised important questions regarding the appropriateness of requests unrelated to subjects currently on city council agenda, compliance with the Government Records Access and Management Act (“GRAMA”), the Open and Public Meetings Act (“OPMA”), and balancing these requests with staff’s other duties. This memorandum addresses these concerns, cautions about GRAMA compliance and OPMA obligations, and introduces proposed ordinance changes to clarify procedures and responsibilities.

II. LEGAL FRAMEWORK

It is well-established law in Utah that members of the City Council are “entitled to all administrative records of the city and that they may adopt a reasonable policy by resolution or ordinance by which they may obtain that information.”¹

This access to administrative information is not without restrictions. GRAMA recognizes the need to balance the constitutional rights of “the public’s to access information concerning the conduct of the public’s business” with “the right of privacy in relation to personal data gathered by [the city],” and “provide[s] guidelines for both disclosure and restrictions on access to government records, which are based on the equitable weighing of the pertinent interests and

¹ *Martindale v. Anderson*, 581 P.2d 1022 (Utah 1978).

which are consistent with nationwide standards of information practices.”² It is a criminal offense for an elected or appointed officer or municipal employee to “disclose or improperly use private, controlled, or protected information . . . to further substantially [their] personal economic interests or to secure special privileges or exemptions for the officer or employee or for others.”³

On occasion, the Council may discuss sensitive topics in a closed meeting. Closed meeting discussions (including the transcript, report, and written minutes of a closed meeting) are classified as protected and may not be disclosed except by court order or by a duly made request from the Office of the Legislative Auditor General.

III. Rules and Guidance

a. Appropriateness of Requests for Records Unrelated to Current Agenda Items

Council members are entitled to request records that aid in their legislative, oversight, and policy-making roles, even if the records are not directly related to items currently on the council agenda. Such requests support informed decision-making and transparency, essential for effective government.

b. Individual Requests Without Full Council Direction

Individual Council members are permitted to make information requests without the need for a directive from the entire City Council. This autonomy is crucial for members to fulfill their oversight and legislative roles effectively. Nonetheless, these requests must be made responsibly and in a manner that does not unduly burden city staff or resources. It is appropriate for the Council to adopt a reasonable policy by which this burden may be managed. In the absence of a policy adopted by the City Council, the Mayor or Manager may establish a policy to ensure that responding to information requests does not unduly interfere with other responsibilities.

c. Handling Requests for Sensitive Information under GRAMA

Requests involving information that may be classified as private, protected, or controlled require careful handling to ensure compliance with GRAMA. Staff must review such requests to determine the appropriate classification and handle the information accordingly, possibly requiring consultation with legal counsel.

In the interest of providing timely information without unduly burdening staff, Council members may receive unredacted records containing private, protected, or controlled information.

A warning: you may not share a record publicly unless you have written confirmation from the City Recorder, in consultation with the City Attorney, that all information in the record has

² *Utah Code Ann.* § 63G-2-102.

³ *Utah Code Ann.* § 10-3-1304.

been classified as public; nor may you use a private, protected, or controlled record to further your personal economic interests or to secure special privileges or exemptions for you or others.

d. Balancing Request Fulfillment with Other Duties

Staff must balance responding to Council requests with their other responsibilities. The policies introduced in the proposed ordinance changes are designed to manage this balance, ensuring that requests are specific, directly related to council business, coordinated, and do not overextend staff resources.

e. Obligations Regarding Access to Sensitive Information

Council members who access private, protected, or controlled information have a legal and ethical obligation to maintain its confidentiality. Sharing such information with the public without understanding its classification and the potential legal implications can lead to significant legal and ethical violations – including criminal responsibility. It is imperative that Council members:

- *Consult with the City Recorder and City Attorney:* Before disclosing information believed to be sensitive or classified, Council members should consult with the City Recorder and City Attorney to determine the appropriate course of action.
- *Understand Classification:* Familiarize yourself with the categories of information under GRAMA and the specific restrictions associated with each classification.
- *Exercise Caution:* Exercise caution and discretion when handling sensitive information to avoid unauthorized disclosures that could harm individuals' privacy rights or the city's legal standing.

f. Compliance with GRAMA and OPMA

All actions taken in response to information requests must comply with GRAMA and OPMA guidelines. This includes ensuring transparency in public meetings and protecting sensitive information discussed during closed sessions from unauthorized disclosure.

IV. Conclusion

The City Council's ability to request information is vital to its role in governance. However, it is equally important that these requests are made and fulfilled in compliance with established laws and policies designed to protect sensitive information and ensure efficient city operations. The proposed ordinance changes and this memorandum aim to provide clear guidance to both Council members and city staff on these matters.

Council members and staff are encouraged to review these guidelines carefully and consult with the City Attorney as needed to ensure compliance with GRAMA, OPMA, and the responsibilities outlined herein.

**MINUTES OF A VINEYARD CITY COUNCIL
PLANNING RETREAT**
Rocky Mountain University,
1800 Novell Place, Provo UT 84606
February 20, 2024, at 9:00 AM

Present

Mayor Julie Fullmer
Councilmember Sara Cameron
Councilmember Jacob Holdaway
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes

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, Chief Building Official Cris Johnson, Finance Director Kristie Bayles, Parks and Recreation Director Brian Vawdrey, RDA Director Josh Daniels, City Recorder Pamela Spencer

Others Speaking: Dok Woods with Holistic Training LLC.

The meeting began with a light breakfast at 9:00 AM.

1. Cameron Martin – Intro to RMU

 City Manager Eric Ellis opened the meeting at 9:16 AM. He introduced and turned the time over to Dr. Cameron Martin president of Rocky Mountain University. Dr. Martin and Provost Malissa Martin gave a brief overview of the University.

 A council photo was taken.

2. Dok Woods – Introduction and team facilitation

 Mr. Ellis introduced and turned the time over to Dok Woods with Holistic Training LLC.
 Mr. Woods had the group participate in a team building exercise.

3. Jayme Blakesley – Understanding municipal budgets

 AM City Attorney Jayme Blakesley gave a brief training on understanding municipal budgets.

DRAFT

4. Kristie Bayles – Summary of recent budget history

 Finance Director Kristie Bayles gave a summary of the current budget.

5. Josh Daniels –Vineyard City RDA – Purpose and Financial Review

 Redevelopment Agency Director Josh Daniels reviewed the RDA's creation, purpose, and financial status. There was a discussion about RDA projects.

6. State of the City - Mayor Fullmer

 Mayor Fullmer reviewed the state of the city.

 A short break was taken at 10:30 AM.

7. Department Yearly Reviews

 Mr. Ellis the current plans being worked on in the city. He then reviewed each department.

-  Community Development
-  Parks and Recreation
-  Public Works
-  Building
-  Human Resources
-  Recorder (Mayor Fullmer and Mr. Daniels left the meeting at... (2:59:00)
-  Sheriff
-  Communications

8. Lunch  A lunch break was taken at 12:20 PM.

9. Team Building Activity – Dok Wood

 Mr. Woods had the group participate in a team building exercise.

 Councilmember Sifuentes read a statement from Dok Woods.

 Mr. Ellis opened it up to questions and answers from the department overviews.

 There was a discussion about the results from the special sessions that Councilmembers Cameron and Holdaway had held and the survey that the city had conducted. There was also a discussion about the committees and commissions.

 Councilmember Holdaway expressed his concerns with council communication. A discussion ensued about having work sessions before council meetings.

 Mr. Blakesley explained the process they could use. He also explained the reason for the planning retreat. A discussion ensued regarding the purpose of the planning retreat and the budget process.

10. Review the City Strategic Plan and Identify Council goals and priorities.

1:12 PM  Mr. Ellis had the council and then staff mark their priorities on the strategic plan.

11. Small Project Idea for Council

2:04 PM -  A small project idea was discussed. The consensus was to install a basketball hoop on the cement pad at the city offices by the small pavilion. Councilmember Holdaway requested that the city consider erecting a monument in or near the Holdaway Fields area for a family that was helped by residents during World War II.

12. Wrap up – Take home messages from Dok Woods.

 Mr. Ellis and Councilmember Sifuentes wrapped up Dok Woods presentation.

13. Adjournment.

 **MOTION:** COUNCILMEMBER SIFUENTES MOVED TO ADJOURN THE MEETING AT 2:32 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS EXCUSED. THE MOTION CARRIED WITH ONE ABSENT.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: _____

PAMELA SPENCER, CITY RECORDER

Paula D. Spencer



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**MINUTES OF
A SPECIAL SESSION CITY COUNCIL MEETING**
City Council Chambers
125 South Main Street, Vineyard, Utah
February 21, 2024, at 6:00 PM

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Present

Mayor Julie Fullmer
Councilmember Sara Cameron
Councilmember Jacob Holdaway
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes

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 Planner Anthony Fletcher, Public Works Director Naseem Ghandour, Finance Director Kristie Bayles, Parks and Recreation Director Brian Vawdrey, Recreation Coordinator Aaron Kohler, Environmental Utilities Manager Sullivan Love, and Deputy Recorder Heidi Jackman

Others Speaking: Residents Keith Holdaway, David Lauret; Bicycle Advisory Commission Member Anthony Jenkins

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28

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

29  Mayor Fullmer opened the meeting at 6:01 PM. Councilmember Sifuentes gave the
30 invocation and led the Pledge of Allegiance.

31
32
33
34

2. WORK SESSION /PRESENTATIONS /RECOGNITIONS /AWARDS /PROCLAMATIONS

35  Mayor Fullmer moved the presentation from later in the meeting to the work session.

36
37

PRESENTATION – Bicycle Advisory Commission award

38 Planner, Anthony Fletcher will present an award to the Bicycle Advisory Commission.

39
40  Planner Anthony Fletcher introduced the award that the Bicycle Advisory Commission
41 (BAC) earned and turned time over to BAC Commissioner, Anthony Jenkins

42
43  Mr. Jenkins spoke about the biking community and what our city offers to make it
44 enjoyable. He mentioned safety and law enforcement being an important component as well. He
45 presented the award to Mayor Fullmer and the council.

46
47  Mayor Fullmer accepted the award and mentioned the hard work that went into receiving the
48 award.



Mayor Fullmer moved the meeting to the Work Session portion.

2.1 WORK SESSION – Zoning Text Amendment – Landscaping Code

City Attorney Jayme Blakesley will present a Zoning text amendment to the landscaping code.



City Attorney Jayme Blakesley presented the zoning text amendment to the landscape code. He spoke about common areas and who is responsible for landscaping. Mr. Blakesley stated that they found that there were areas where the maps and the zoning ordinance were not precise enough to know where the boundaries were and who was responsible for those areas. He said there may need to be a contract between Vineyard City and the Homeowners Associations (HOA). He stated there were essentially three (3) pieces: 1. An agreement with HOA that would amend out of the zoning ordinance, the language related to landscaping. 2. Move the agreement to a contract between the city and the HOA that would spell it out. 3. If the common area designated in the HOA covenants, that apply to the property, didn't accurately reflect where the lines were, to seek amendment of those covenants as part of that agreement. Mr. Blakesley continued that he wanted to engage with the HOA's and start the process.



Councilmember Holdaway asked if the goal was to give the property back or have the ability to use it. Mr. Blakesley responded there was no desire to give or receive property, but to find who was responsible. He further explained that there were planting and lawn care areas along the fence that were not being cared for and the city thought they were to be part of the HOA common area. He stated the maps, and the code was not precise enough to know who was responsible. A discussion ensued regarding HOA covenants, common property and amendments needed. Mr. Blakesley said this would be a 6–12-month process. Development Community Director, Morgan Brim, commented that if there were areas that needed to be treated during the process, they would address how to handle those. Mayor Fullmer said she would like those details worked out.

2.2 PRESENTATION – Pavement Condition Assessment

Public Works Director Naseem Ghandour will present the results of the citywide Pavement Condition Assessment completed by Horrocks Engineering



Public Works Director Naseem Ghandour shared a slide presentation regarding pavement preservation.



Mayor Fuller asked about the data regarding road conditions. Mr. Ghandour responded, and a discussion ensued about the range of conditions for roads. Councilmember Sifuentes asked about the budget. Mr. Ghandour responded that they would have it ready to present at the end of March. Mr. Ghandour continued with his presentation and a discussion ensued with the council.

3. PUBLIC COMMENTS



Mayor Fullmer opened public comments.



Resident Keith Holdaway, living on Holdaway Road commented that he would like to encourage openness in our government. He said he would like to have more notice for meetings. Mr. Holdaway asked for an answer to a question he had asked previously.



Resident, David Lauret, living on Holdaway Road commented that he liked having items in the work session and to continue with that. He suggested items on the agenda be prolonged

through three sessions. He appreciates having the attorney present and that he can explain certain terms that may be used.



Mayor Fullmer closed the public comments and then addressed.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS



Councilmember Holdaway apologized to the council and mayor about the special session meetings held over President's Day weekend and the short notice given. Councilmember Holdaway reported on the two special sessions. He stated that he wasn't aware that the retreat meeting was about the budget. He expressed concern about receiving information. A discussion with the council and staff ensued.



Councilmember Rasmussen reported on the legislative session. She reviewed some of the bills that were currently on the agenda that the city was watching. She reported on privacy, the community garden, and the BAC. A discussion ensued with council and staff.



Councilmember Sifuentes reported that she attended a meeting for Huntsman Cancer Institute where Huntsman shared some preliminary designs, goals, and their future. Mayor Fullmer commented that Huntsman was excited to be in our community. Councilmember Cameron expressed that some of the citizens were concerned about the cleanliness of the dirt at the building site. A discussion ensued with the council and staff.



Mayor Fullmer gave an update on infrastructure. She discussed opening transportation across the city lines and over the rail. She stated it was done through the Mountainland Association of Governments (MAG) process. Mayor Fullmer gave updates on 1600 North and all entry points including Geneva Road. Councilmember Holdaway mentioned that the bridge at 1200 North did not go through the MAG process. Mayor Fullmer responded that that was correct, but it was still going through a correct process since it was a local road. A discussion with the council and staff ensued.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 Neighborhood Community Services Coordinator, Maria Arteaga will provide an update on current code enforcement activity.



Neighborhood Community Services Coordinator, Maria Arteaga presented a summary of what she has been setting up in her new role. She shared data regarding complaints and other issues such as parking. Mr. Brim added that the issue with occupancy was connected to the parking issues. Lieutenant Holden Rockwell with the Utah County Sheriff's Office commented on the parking issues and that they usually came from cars that were parked for longer periods of time. Mayor Fullmer asked if the parking issues were violating the ordinances in place. A discussion ensued.

6. CONSENT ITEMS

6.1 Approval of the December 6, 2023, Joint Planning Commission and City Council Meeting

6.2 Approval of the January 24, 2024, City Council Meeting Minutes

6.3 Approval of a Background Check Policy for Coaches (Resolution 2024-04)

6.4 Approval of a bid award for the Stormwater Master Plan (Resolution 2024-05)

6.5 Approval of Utah Premier Events Alcohol License

148 **6.6 Approval of a Scholarship Program for Parks and Recreation's Sports Programs**
149 **(Resolution 2024-06)**

150  Mayor Fullmer moved consent item 6.3, Approval of a Background Check Policy for
151 Coaches off the list for discussion.

152
153  Councilmember Holdaway asked to move consent item 6.5. Approval of Utah Premier
154 Events Alcohol License for more information.

155
156  **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE AND ADOPT
157 CONSENT ITEMS 6.1, 6.2, 6.4, AND 6.6 AS PRESENTED. COUNCILMEMBER
158 RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR
159 FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND
160 SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

161
162  Mayor Fullmer turned the time over to Mr. Blakesley to discuss consent item 6.3, Approval
163 of a Background Check Policy for Coaches.

164
165  Mr. Blakesley let the council know that the policy in their packet was not the current one
166 and they each should have an updated policy in front of them. He stated that the Parks and
167 Recreation Department wanted to update their background policy to ensure safety in youth
168 sports. Mr. Blakesley stated that the updated policy allows for reform. Councilmember
169 Rasmussen asked if this policy could be used in other aspects of the city that involve minors. Mr.
170 Blakesley stated that the wording would be changed from coaching to any individual that works
171 with the youth.

172
173  **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO APPROVE CONSENT ITEM
174 6.3 WITH THE CHANGE TO VINEYARD CITY VOLUNTEER BACKGROUND CHECK
175 POLICY FOR ANY INDIVIDUAL THAT WORKS WITH MINORS. COUNCILMEMBER
176 HOLDAWAY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR
177 FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND
178 SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

179
180  Mayor Fullmer explained consent item 6.5, Approval of Utah Premier Events Alcohol
181 License. She stated that the event needs a waiver at the event because they would be serving
182 alcohol.

183
184  Mr. Brim gave an overview of the Utah Premier Event. He explained that this was a class
185 three (3) license that required local consent, which was approval from the city council, and it
186 would be a onetime event. Mr. Blakesley stated that some items were legislative, but this one
187 was administrative. A discussion ensued.

188
189  **Motion:** COUNCILMEMBER HOLDAWAY MOVED TO APPROVE CONSENT ITEM
190 6.5 AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION.
191 ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS
192 CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION
193 CARRIED UNANIMOUSLY.

194
195 **7. APPOINTMENTS**

196 **7.1 Vineyard Bicycle Commission**

197 With the advice and consent of the City Council, Mayor Fullmer will appoint Jim Price as
198 a member and Chris Wiltsie as an alternate member to the Bicycle Advisory
199 Commission.
200

201  Mayor Fullmer appointed Jim Price as a sitting member of the BAC and Chris Wiltsie as an
202 alternate member of the BAC. She gave an overview of their backgrounds and stated that they
203 were not residents of Vineyard and were considered “at-large” members of the BAC.
204

205  **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO APPROVE THE MAYOR’S
206 APPOINTMENTS TO THE BICYCLE COMMISSION AS PRESENTED.
207 COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER,
208 COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES
209 VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
210

211 **8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS**

212 Planner, Anthony Fletcher will present an award to the Bicycle Advisory Commission.
213

214 This item was moved to the Work Session portion of the meeting.
215

216 **9. BUSINESS ITEMS**

217 **9.1PUBLIC HEARING –Budget Amendment Resolution 2024-01**

218 *(This item was continued from the January 10, and January 24, 2024, City Council*
219 *Meetings.)*

220 City Manager, Eric Ellis, will present proposed amendments to the Fiscal Year 2023-
221 2024 Budget. The mayor and city council will act to adopt (or deny) this request by
222 resolution. *(A public hearing was held on this item during the January 10, 2024, City*
223 *Council Meeting.)*
224

225  Councilmember Sifuentes stated that Councilmembers Holdaway and Cameron would like
226 to see the budget and would like to move this item to the next city council meeting, March 13,
227 2024.
228

229  **Motion:** COUNCILMEMBER SIFUENTES MOVED TO CONTINUE ITEM 9.1 THE
230 BUDGET AMENDMENT RESOLUTION 2024-01 TO THE CITY COUNCIL MEETING ON
231 MARCH 13, 2024. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION.
232 MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN,
233 AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
234

235  Councilmember Holdaway mentioned that resident David Pearce was serving as the
236 Vineyard Cares Board Chair. He wanted to ask council about the board support and how people
237 volunteer. Mayor Fullmer responded with information on how to volunteer.
238

239 **10. CLOSED SESSION**

240 No closed session was held.
241

242 **11. ADJOURNMENT**

243  Mayor Fullmer adjourned the meeting at 8:09 PM.
244

245 **MINUTES APPROVED ON:** _____
246

247 **CERTIFIED CORRECT BY:** /s/ Heidi Jackman
248 HEIDI JACKMAN, DEPUTY RECORDER
249

DRAFT

VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: March 13, 2024

Agenda Item: Display of the Utah historic state flag

Department: Administration

Presenter: Eric Ellis

Background/Discussion:

Councilmember Cameron requested that city staff look into the display of Utah's historic state flag. Council asked to discuss the display of the historic state flag at City Hall.

As per Utah Code 63G-1-503: The historic flag shall be displayed:

(5) The historic state flag shall be displayed:

(a) on state property during legal holidays described in Section 63G-1-301*

(6)(b) The historic state flag shall be replaced by the state flag of Utah, as described in Section 63G-1-501, when the historic state flag is not displayed for ceremonial purposes.

(c) When displaying the historic state flag on public grounds in any location where the state flag of Utah, as described in Section 63G-1-501, is also displayed, the governmental entity responsible for the display of the flags shall ensure that the historic state flag is displayed beneath the state flag of Utah.

***Section 63G-1-301**

(1)(a) The following named days are legal holidays in this state:

(i) January 1, called New Year's Day;

(iii) the third Monday of January, called Dr. Martin Luther King, Jr. Day;

(iv) the third Monday of February, called Washington and Lincoln Day;

(v) the last Monday of May, called Memorial Day;

(vi) on the day described in Subsection (1)(f), Juneteenth National Freedom Day;

(vii) July 4th, called Independence Day;

(viii) July 24, called Pioneer Day;

(ix) the first Monday of September, called Labor Day;

(x) the second Monday of October, called Columbus Day;

(xi) November 11, called Veterans Day;

(xii) the fourth Thursday of November, called Thanksgiving Day;

(xiii) December 25, called Christmas; and

(xiv) all days which may be set apart by the President of the United States, or the governor of this state by proclamation as days of fast or thanksgiving.

Fiscal Impact:

Occasional purchase of replacement flags, staff time to display and again to remove the historic flag for the twelve recognized legal holiday's

Recommendation:

Adopt an administrative policy to display the historic state flag on legal holidays (see Utah 63G-1-301 (b-f) for details regarding roving days for certain holidays)

Sample Motion:

"I move to approve the policy of displaying the historic state flag on legal holidays as described in Utah 63G-1-301"

Attachments:

None



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: March 13, 2024

Agenda Item: **PUBLIC HEARING – Budget Amendment Resolution 2024-01**

(This item was continued from the January 10, January 24, and February 21, 2024, City Council Meetings.)

Finance Director, Kristie Bayles, 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.)*

Department: **Finance**

Presenter: Kristie Bayles

Background/Discussion:

Utah Code Section 10-6-128 allows for the amendment of the City's budget up until the last day of the fiscal year for which the budget applies. City Staff recommends the amendment of the Vineyard City Fiscal Year 2023 – 2024 Budget for various items as outlined in the attached detail worksheet.

Fiscal Impact:

General Fund: \$141,646

Capital Projects Fund: \$22,500 ULA Grant

Water Fund: -\$2,146

Sewer Fund: -\$1,122

Storm Water Fund: -\$805

Transportation Fund: -\$786

Internal Services Fund: \$4,859

Recommendation:

Approval of the resolution.

Sample Motion:

I move to adopt Resolution 2024-01, proposed 2024 Budget Amendment #3 as presented by staff.

Attachments:

1. Resolution 2024-01 Amend FY 2023-2024 Budget Amendment 3
2. FY24 Budget Amendment #3

RESOLUTION NO. 2024-01

A RESOLUTION AMENDING THE VINEYARD CITY BUDGET FOR THE 2023-2024 FISCAL YEAR.

WHEREAS, the City Council of Vineyard, Utah has previously adopted a budget for the 2023-2024 fiscal year in accordance with the Utah Fiscal Procedures Act for cities; and

WHEREAS, the city needs to now amend that adopted said budget; and

WHEREAS, a public hearing was held on the 21st day of February 2024, on the proposed amendments to the 2023-2024 fiscal year budget for the city of Vineyard, Utah.

NOW THEREFORE BE IT RESOLVED BY THE VINEYARD CITY COUNCIL AS FOLLOWS:

1. Attached exhibit A shows the amendments to the Fiscal Year 2023-2024 budget for the city of Vineyard, Utah.
2. This resolution shall take effect upon passing.

Passed and dated this 13th day of March 2024.

Mayor Julie Fullmer

Attest:

Pamela Spencer, City Recorder

Vineyard City

Fiscal Year 2023 - 2024 Budget Amendment #3

General Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
10.1801.3001	Property Tax	3,296,000	3,417,859	121,859	Property Tax Projected Higher Than Budget
10.1801.3205	Grant Revenue	-	22,500	22,500	ULA Grant
	Beginning Fund Balance Appropriation	1,178,930	1,176,217	(2,713)	Fund Balance Appropriation Adjustment
	Total Revenue Adjustment			\$ 141,646	
10.0701.4001	Planning - Full-Time Wages	270,114	345,114	75,000	Senior Planner Position
10.0701.4006	Planning - Other Compensation	2,040	3,000	960	Senior Planner Position Cell Phone and Fitness Reimb
10.0701.4051	Planning - Retirement & Taxes	71,641	89,521	17,880	Senior Planner Position Retirement
10.0701.4053	Planning - Insurance	50,364	71,024	20,660	Senior Planner Position Insurance
10.0701.4355	Planning - Miscellaneous	4,800	7,300	2,500	Computer Equipment for Senior Planner Position
10.1801.6049	Non-Departmental - Transfer to Capital Projects	760,000	782,500	22,500	Transfer Adjustment for ULA Grant
10.1801.6052	Non-Departmental - Transfer to Sewer Fund	12,177	11,055	(1,122)	Transfer Adjustment
10.1801.6053	Non-Departmental - Transfer to Stormwater Fund	27,466	26,661	(805)	Transfer Adjustment
10.1801.6054	Non-Departmental - Transfer to Transportation Fund	930,009	929,223	(786)	Transfer Adjustment
10.1801.6061	Non-Departmental - Transfer to Internal Service Fund	214,002	218,861	4,859	Transfer Adjustment
	Total Expenditure Adjustment			\$ 141,646	
	Total General Fund			\$ -	

Capital Projects Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
	Transfer from General Fund	-	22,500	22,500	Transfer of ULA Grant
	Total Revenue Adjustment			\$ 22,500	
49.4901.4651	Capital Expense	\$ 3,452,500	\$ 3,475,000	\$ 22,500	Match for ULA Grant
	Total Expenditure Adjustment			\$ 22,500	
	Total Capital Projects Fund			\$ -	

Vineyard City

Fiscal Year 2023 - 2024 Budget Amendment #3

Water Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
	Beginning Fund Balance Appropriation	\$ 49,444	\$ 47,298	\$ (2,146)	Fund Balance Appropriation Adjustment
	Total Revenue Adjustment			\$ (2,146)	
51.5101.6061	Transfer to Internal Service Fund	258,834	256,688	(2,146)	Transfer Adjustment
	Total Expense Adjustment			\$ (2,146)	
	Total Water Fund			\$ -	

Sewer Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
52.5201.5010	Transfer From General Fund	\$ 12,177	\$ 11,055	\$ (1,122)	Transfer Adjustment
	Total Revenue Adjustment			\$ (1,122)	
52.5201.6061	Transfer to Internal Service Fund	143,052	141,930	(1,122)	Transfer Adjustment
	Total Expense Adjustment			\$ (1,122)	
	Total Sewer Fund			\$ -	

Vineyard City

Fiscal Year 2023 - 2024 Budget Amendment #3

Stormwater Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
53.5301.5010	Transfer From General Fund	\$ 27,466	\$ 26,661	\$ (805)	Transfer Adjustment
Total Revenue Adjustment				<u>\$ (805)</u>	
53.5301.6061	Transfer to Internal Service Fund	90,747	89,942	(805)	Transfer Adjustment
Total Expense Adjustment				<u>\$ (805)</u>	
Total Stormwater Fund				<u>\$ -</u>	

Transportation Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
54.5401.5010	Transfer from General Fund	\$ 930,009	\$ 929,223	\$ (786)	Transfer Adjustment
Total Revenue Adjustment				<u>\$ (786)</u>	
54.5401.6061	Transfer to Internal Service Fund	214,002	213,216	(786)	Transfer Adjustment
Total Expense Adjustment				<u>\$ (786)</u>	
Total Transportation Fund				<u>\$ -</u>	

Vineyard City

Fiscal Year 2023 - 2024 Budget Amendment #3

Internal Services Fund

Account #	Account	Original Budget	Adjusted Budget	Change	Notes
61.6101.5010	Transfer From General Fund	853,965	858,824	4,859	Transfer Adjustment
61.6101.5051	Transfer From Water Fund	258,834	256,688	(2,146)	Transfer Adjustment
61.6101.5052	Transfer From Sewer Fund	143,052	141,930	(1,122)	Transfer Adjustment
61.6101.5053	Transfer From Stormwater Fund	90,747	89,942	(805)	Transfer Adjustment
61.6101.5054	Transfer From Transportation Fund	214,002	213,216	(786)	Transfer Adjustment
Total Revenue Adjustment			\$ -		
Total Expense Adjustment			\$ -		
Total Internal Service Fund			\$ -		

Legend:

New budget request

Adjustment of transfer from one fund to another fund

Adjustment of beginning fund balance appropriation



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: March 13, 2024

Agenda Item: **PUBLIC HEARING - General Plan Update - Goal 2 Technology Element**
Economic Development Director Morgan Brim will present the Technology Element of the General Plan to provide guidance in safeguarding privacy and protection of sensitive information in technology implementation. The City Council will act to adopt (or deny) this request by Ordinance.

Department: Community Development

Presenter: Morgan Brim

Background/Discussion:

The City Council directed the Planning Commission in June of 2023 to amend the General Plan Technology Element Goal 2 to address privacy concerns about the public use of personal information and privacy. The Planning Commission requested member Chris Bramwell to work with staff to draft language to be added to Goal 2. The proposed language provides general guidance to the city as it implements technological solutions in the future. The City may choose to adopt a more robust policy in the future.

The Planning Commission reviewed the below language during a work session on January 17, 2024. The Commission discussed rewording Strategy 3 to clarify that technology will be used to maximize transparency in sharing information in decision making processes and felt there may be some confusion with the current wording and may be interpreted as maximizing the sharing of personal information.

A member of the public recommended that Strategy 5 include the following amendment: *Ensure that all current and future city contracts and contractors include measures that protect sensitive data and dispose of it properly.* The Planning Commission appeared to agree with this addition. These changes are included in the attached ordinance.

At the March 6, 2024 Planning Commission meeting and public hearing, the Planning Commission voted unanimously to recommend approval of Ordinance 2024-04 to the City Council.

Fiscal Impact:

Recommendation:

Staff recommends a positive recommendation to the City Council.

Sample Motion:

“I move to adopt Ordinance 2024-04 to amend the Technology Element of the Vineyard General Plan to safeguard privacy and the protection of sensitive information in the implementation of technology.”

Attachments:

1. Ord_2024-04 (2)

**VINEYARD
ORDINANCE 2024-04**

**AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, AMENDING THE
VINEYARD GENERAL PLAN, TECHNOLOGY ELEMENT, GOAL 2 TO ADDRESS
PRIVACY CONCERNS REGARDING THE PUBLIC USE OF PERSONAL
INFORMATION; PROVIDING A REPEALER CLAUSE, PROVIDING A SAVINGS
AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of the Utah Municipal Code, permits Vineyard to ensure the health, safety and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, the City Council directed the Planning Commission to draft an amendment to the Vineyard General Plan to provide the city guidance in the adoption of technology in safeguarding privacy and personal information; and

WHEREAS, the Planning Commission held a public hearing on March 6, 2024 and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on March 13, 2024; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the General Plan.

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.08.020 Goal 2” of the Vineyard General Plan is hereby *amended* as follows:

AMENDMENT

10.08.020 Goal 2

CONTINUE TO UTILIZE AND ADOPT ADVANCES IN TECHNOLOGY TO
ENHANCE CITY SERVICES AND IMPROVE COMMUNICATION AND PUBLIC
ACCESS TO ALL SERVICES, PLANNING, DECISION MAKING AND ACTIVITIES.

1. STRATEGY 1: Integrate current and future technological advancements to enhance the delivery and sustainability of City services and increase participation and awareness of environmental efforts.
2. STRATEGY 2: Continually update the City website to maintain and expand convenient access to City services and information resources.
3. STRATEGY 3: Utilize communications technologies to increase public awareness and involvement in City planning and decision-making processes and to maximize the sharing of information between the City and public and private entities: by adopting secure communication channels and ensuring the exchange of sensitive information follows established privacy guidelines and regulations.
4. STRATEGY 4: Implement security measures to safeguard sensitive data as part of technological advancements, thereby fostering public trust and confidence.
5. STRATEGY 5: Ensure that all current and future city contracts and contractors include measures that protect sensitive data and dispose of it properly.
6. STRATEGY 6: Update forms on which personal information is collected to include a notice of purpose and use of the information and ensure use of information is limited to those purposes and uses.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Sara Cameron	_____	_____	_____	_____
Jacob Holdaway	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder,
Vineyard



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: March 13, 2024

Agenda Item: **DISCUSSION AND ACTION - Vineyard Day's Celebration - Fireworks or Drone Show**

Department: Events

Presenter: Eric Ellis, Anna Nelson

Background/Discussion:

The Vineyard Days city celebration wraps up with a fireworks show or drone show. This year, Freedom Elementary School offered to house the fireworks display. This option increases spectator safety and provides more space for people to spread out in Grove Park to observe the show.

Quotes for the shows are as follows:

1. \$22k for 200 drones (Last year's 200-drone show was \$20k)
2. \$15k for 100 drones
3. \$14k for a 10-minute firework show using 2.5" shells (comparable to the fireworks show 3-years ago, which had 2.5"-3' shells at a cost of ~\$20k)

Fiscal Impact:

\$14k-\$22k. The Vineyard Days event has a \$48K budget through the city's general fund, additional costs are supported through Vineyard Days specific business donations. Any one of the three proposed shows fit within the budget combined with the donations.

Recommendation:

Provide a preference-based selection of option 1, 2 or 3 as the grand finale of the Vineyard Day's event. Staff will make arrangements with the vendor of the selected option.

Sample Motion:

"I move to approve the 1st, 2nd or 3rd option presented as the grand finale of the Vineyard Days event"

Attachments:

None