



MINUTES OF A REGULAR CITY COUNCIL MEETING

City Council Chamber
125 South Main Street, Vineyard, Utah
March 13, 2024, at 6:00 PM

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, Finance Director Kristie Bayles, Neighborhood Specialist and Utility Billing Clerk Maria Arteaga, Public Works Director Naseem Ghandour, Staff Engineer Partrick James, Environmental Utilities Manager Sullivan Love, and City Recorder Pamela Spencer

Others Speaking: Paige Walton and Jasin Olsen with Utah Department of Environmental Quality; Utah Transit Authority Trustee Jeff Acerson; Jason Gibbons and Ryan Hales with Hales Engineering; Residents Darlene Price, Keith Holdaway, Chip Price, Daria Evans, Kim and Karen Cornelius, Claudia Lauret, Adam Tuescher, and Elizabeth Holdaway

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

► Mayor Fullmer opened the meeting at 6:00 pm. Councilmember Holdaway led the pledge of allegiance and gave the invocation.

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.

- ▶ Paige Walton with the Utah Department of Environmental Quality presented on radiation control. She then explained the investigation process and corrective action that was used on the Geneva site.
- ▶ Mayor Fullmer called for questions from the council.
- ▶ Councilmember Rasmussen asked about the long-term plan for the contaminated materials. Ms. Walton replied that they will be evaluated depending on the ultimate use.
- ▶ Councilmember Sifuentes asked how deep they could dig down. Ms. Walton replied that it had been cleaned with no restrictions on vertical (down).
- ▶ Councilmember Cameron mentioned the issues that they had in the Daybreak community and asked how it had been cleared and then had issues. Ms. Walton explained the difference between the two sites. There was a discussion about the vertical samples which went down to groundwater level.
- ▶ Councilmember Holdaway expressed concern with the contamination from the wind in the 1970s pilings and asked about remediation. Ms. Walton said that she did not have an answer now but would research it. Councilmember Holdaway asked about the measurements they used. Ms. Walton replied that they had adopted the federal standards. Councilmember Holdaway asked if the city would be taking the risk if something happened on Utah City's property. Ms. Walton replied no because Utah City had a clean closure. A discussion ensued.
- ▶ Councilmember Holdaway asked about removal of the fences around the settling ponds on the west side of the road and people having access to it. Ms. Walton replied that someone needed to submit a comment addressing his concern about the area and then they could address it.
- ▶ Councilmember Rasmussen asked if there was a timeline when the area would be complete. Ms. Walton replied that she did not have one. A discussion ensued about the cleanup.
- ▶ Utah Transit Authority (UTA) Trustee Jeff Acerson introduced himself. He mentioned that UTA had passed their 2050 Long-range Transit Plan and that it was open for public comment.

3. WORK SESSION

3.1. Transportation Master Plan Update. Hales Engineering will provide an update to the Transportation Masterplan (TMP)

- ▶ Josh Gibbons with Hales Engineering gave a brief background on and reviewed the Transportation Masterplan.
- ▶ Ryan Hales with Hales Engineering reviewed some of the long-range planning, access points, and the next steps.

▶ Councilmember Cameron asked about the portion of the Vineyard Connector that had already been funded. Mr. Hales replied that the Vineyard Connector in the Vineyard area had been funded. Public Works Director Ghandour added that it was in Utah Department of Transportation's (UDOT) long-range plan to connect to Pioneer Crossing.

▶ Councilmember Holdaway asked about the proposed road across Utah Lake. Mr. Hales replied that it was on the Mountainland Association of Governments' Regional Transportation Plan. There was a discussion about where the road could connect.

▶ A short break was taken at 6:56 PM. The meeting resumed at 7:04 PM.

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.

▶ City Attorney Jayme Blakesley gave a brief background on the reason for the recommended code changes and then explained that he had combined the two ordinances. He then reviewed the recommended code changes.

▶ Councilmember Sifuentes asked for clarification on the staff interactions. Mr. Blakesley replied that Department Heads was included.

▶ Mr. Blakesley presented a document procedure training. Councilmember Sifuentes suggested that staff add to an email, etc., if it was confidential. A discussion ensued.

▶ Councilmember Holdaway expressed concern with a lot of the language in the code changes. And the oversight of the mayor and City Manager. A discussion ensued.

▶ Councilmember Sifuentes explained that she helped to create these changes. She felt that staff was overwhelmed with other requests, and she was not getting her requests answered because they were bombarded with other requests. A discussion ensued about staff time.

▶ Councilmember Holdaway expressed concern with changes to the Public Comment period. A discussion ensued. Councilmember Holdaway expressed concerns about other changes to the code.

▶ Councilmember Sifuentes stated that she was willing to talk about the public comment section. She said that discussions and councilmember reports needed to be concise and ensure they have efficient meetings. The discussion about the code changes continued.

▶ Councilmember Rasmussen felt that these were standard procedures.

▶ Mr. Blakesley explained that the context was to clarify what was appropriate and felt they needed to create a set of rules. He said that he looked at what other cities had in their codes and went from there. He also felt that it would be helpful to look at each section. A discussion ensued.

▶ Councilmember Rasmussen stated that this was a response to comments made in the last council meeting where they were seeking way to hold meetings, and this was good opportunity to work with counsel.

▶ Councilmember Holdaway asked about Section 3.04.070 (E) and the annual report. Mr. Blakesley replied that this was to help the council understand staff time commitments. A discussion ensued about staff contact and use of time.

4. PUBLIC COMMENTS

▶ Mayor Fullmer opened for public comments.

▶ Resident Darlene Price, living in The Villas subdivision, asked who was “we” that formed the document code changes. She expressed concerns about was items that the mayor directed in the code changes.

▶ Resident Keith Holdaway, living on Holdaway Road, asked about getting the response to his tax questions on the Megaplex and Topgolf. He explained that he had all the financial records as soon as he was elected and the council.

▶ Resident Chip Price living in the Providence subdivision, reminded the council as elected officials they work for the citizens and it was their job was to listen to them. He when the survey results would be made public.

▶ Resident Daria Evans, living in the Villas subdivision, asked about the TAG grant that was awarded to the city and where the Geneva Loop was. She also asked when the sunshades would be installed. She noted that the picture on the March 4th Vineyard City page for the community garden was of the Orem Community Garden and should be credited to them. She also asked about receiving a report on the tax incentives, and for an update on the rail spur realignment. She added that she would like to read the mayor’s “State of the City” address.

▶ Resident Kim Cornelius, living in the Villas subdivision, asked for a status update on the fire station.

▶ Resident Claudia Lauret, living on Holdaway Road, suggested that the city address an overflow area to accommodate the citizens who attend council meetings.

▶ Resident Karen Cornelius, living in the Villas subdivision, expressed her concerns about public comments during council meetings. She read a statement that was said a reporter after the December council meeting. She also wanted to know, in a public meeting, about the tax incentives. She also expressed concern about the bridge planned in the Utah City development and finishing the FrontRunner station.

► Resident Adam Teuscher, living in the Windsor subdivision, asked about two of the suggested code changes: what was the definition of a “procedurally inappropriate agenda item” and who makes the determination and what was the definition of “strong support from the community.” He mentioned that he had attended one of the special meetings that do not fall under the OPMA. He asked about the outdated trail map on the vineyard website.

► Resident Elizabeth Holdaway asked if they had a tally system when people raised their hand that could go into the minutes. She talked about freedom of speech and suggested they move some of the agenda items around and if the meeting went long, they could move some of the items to another meeting.

Mayor Fullmer addressed the public comments.

- ► Who was the “we” was counsel. Mr. Blakesley explained the process he went through for the code changes.
- ► Councilmember Sifuentes asked Mr. Blakesley to explain the mayor’s role. Mr. Blakesley explained that under state law the mayor roles were defined and that one of those roles was the chair of the council. He noted that when it states, in the code changes, Mayor/Council/City Manager, it was to be expansive not restrictive.
- ► Keith Holdaway mentioned that the mayor would email him. Mayor Fullmer explained that Mr. Ellis or the RDA Director would contact him. Mr. Eliss further explained that he had been working he had been working with Councilmember Holdaway and was waiting for a GRAMA request from members of the public. A discussion ensued. Mr. Blakesley suggested that he speak with Councilmember Holdaway and Keith Holdaway. He also suggested that they could review their RDA obligations in an RDA meeting in two weeks.
- ► Public Comments, comments. Mayor Fullmer explained the process to enhance the public comment period and allow the council to add their comments.
- ► TAG grant amount. Mayor Fullmer suggested that Ms. Evans contact Mr. Brim for the numbers.
- ► Orem Community Garden photo. They will have the social media team correct it.
- ► Sunshade installation. Mayor Fullmer suggested she reach out staff for the timeline. Councilmember Sifuentes mentioned that they were waiting until spring to install them.
- ► Geneva Loop Road. Mr. Brim explained that they had received \$120,000 for the TAG grant (Technical Assistance Grant) for planning funds to make corridors safer.
- ► Fire Station. Mayor Fullmer explained that the plans for the fire station were still in process and would be coming for review and revision by council and then to public.
- ► Tally for raised hands and for accommodations for when they need overflow seating. Mayor Fullmer explained that they could not always predict how many of the public would be in attendance and they would try to anticipate it.
- ► Rail spur. Mayor Fullmer explained the process that they had gone through to date with Union Pacific Railroad, UDOT, and UTA.
- ► Special Session minutes. Mayor Fullmer clarified that because there were only two councilmembers in attendance, under the Open and Public Meetings Act (OPMA) it was not a council meeting, and minutes were not required. She noted that residents could request a copy of the recording.

- ► Procedural and public definitions for the ordinances and the updating the trail map. Mayor Fullmer noted that they were looking at them.
- ► A discussion ensued.

5. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

- Councilmember Holdaway asked for a one-pager on Topgolf tax incentives. Councilmember Holdaway felt that they needed a better relationship with staff. He noted that he had read the survey results and felt that it was shocking to see the citizens anger. He felt that the Community Garden Committee should elect their own Director. He commented on the special meetings he held. He stated that he and Councilmember Cameron would like to meet with the fire department, about the rail spur and Huntsman. He commented on opening Facebook comments. He stated that he did not know about the 12th North bridge. He reported that they held two separate meetings with Utah City. He felt that he and Councilmember Cameron should be able to meet together with developers. He added that they had met with consultants on the parking plan. ► Councilmember Sifuentes explained that they had to meet with the consultants separately before bringing it to the public. A discussion ensued. Mr. Blakesley responded to the characteristics of separate meetings and that Councilmember Holdaway had stated that he wanted more training. The discussion continued. Mayor Fullmer also explained that staff held implementation meetings and why they held separate meetings before bringing it to the public.
- Councilmember Cameron asked why they did the identical meetings back-to-back. Mr. Blakesley explained that public meetings had an expense associated with them and that the meeting about finance was requested to have the mayor included and that accommodate time, staff arranged to have Utah City at the end of one meeting and the beginning of the other meeting. The discussion continued. ► Councilmember Sifuentes felt that the council wanted to make public meetings worth the public's time. Mayor Fullmer suggested that Councilmember Holdaway write up his suggestions and the procedures he was interested in, and they could bring them to the council. The discussion continued.
- Councilmember Rasmussen reported on a few of the bills from the 2024 legislative session. She will email a wrap up of the session to council. He reported that the Bicycle Advisory Commission would be updating their priorities and that their next meeting would be held on April 23rd. She reported that the Community Garden was accepting applications for garden plots and that they would be hiring a new director.
- Councilmember Cameron thanked Mr. Ghandour for the new flag.
- Mayor Fullmer reported that the survey results would be posted soon and that they were in discussions on the 12th North Bridge and the parking lot for UTA. She noted that they were working several projects simultaneously, such as the bridge, the station, widening 800 North.
- Councilmember Rasmussen mentioned that their government consultants would attend the next meeting.
- Councilmember Cameron asked about posting the comments from the special sessions on the city's social media page or website. She felt that citizens' frustrations were that their concerns are not being addressed.

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

► **Motion:** Councilmember Rasmussen moved approve the consent items as presented. Councilmember Holdaway asked to discuss item 6.3.

► **Amended motion:** Councilmember Rasmussen moved to approve consent items 6.1 and 6.2. Councilmember Sifuentes seconded the motion. Mayor Fullmer, Councilmembers Cameron, Holdaway, Rasmussen, and Sifuentes voted yes. The motion carried unanimously.

► **6.3 Display of the Utah Historic State Flag.** Councilmember Holdaway wanted it to be on the record for which flag they were voting. Councilmember Cameron explained that she had asked for the historic flag to being flown. Mr. Blakesley explained the state code for flying the historical flag. Mr. Ellis added that the historical flag could only be flown on state holidays. A discussion ensued.

► **Motion:** Councilmember Sifuentes moved to approve 6.3 with the clarification that they would follow mandated state law. Councilmember Rasmussen seconded the motion. Mayor Fullmer, Councilmembers Cameron, Holdaway, Rasmussen, and Sifuentes voted yes. The motion carried unanimously.

7. APPOINTMENTS

No appointments were made.

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.)*

► Finance Director, Kristie Bayles explained that when do a budget they project revenue that would be coming in and that funds had come in more. Staff was requesting the tax the excess funds and put them towards a senior planner position. She mentioned that a ULA grant received by the city would be going to sand volleyball pits on the lake front.

► **Motion:** COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 8:54 PM. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- ▶ Ms. Evans asked about the sand volleyball pits. Mr. Brim replied that the Parks and Recreation Director was looking a few locations.
- ▶ Ms. Price asked about the budget process and asked to see a detailed breakdown of items.
- ▶ **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO CLOSE THE PUBLIC HEARING AT 8:57 PM. COUNCILMEMBER CAMERON SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
- ▶ Mayor Fullmer called for council discussion.
- ▶ Councilmember Holdaway said that they had pushed this item back because they were waiting for numbers and that he wanted to do a complete sister city study before they hire someone. Mayor Fullmer responded to Councilmember Holdaway's comments and stated that she was ready to move forward with the budget amendment.
- ▶ Councilmember Cameron agreed that she wanted to see more details in the budget and that she was ready to move forward.
- ▶ **Motion:** COUNCILMEMBER RASMUSSEN MOVED ADOPT RESOLUTION 2024-01, PROPOSED 2024 BUDGET AMENDMENT #3 AS PRESENTED BY STAFF. COUNCILMEMBER CAMERON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, RASMUSSEN, AND SIFUENTES VOTED YES. COUNCILMEMBER HOLDAWAY VOTED NO. THE MOTION CARRIED 4 TO 1.

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.

- ▶ **Motion:** COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 9:00 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
- ▶ Mr. Brim reviewed the recommended General Code Changes.
- ▶ Mayor Fullmer called for public comments. Hearing none, she called for a motion to close the public hearing.
- ▶ **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO CLOSE THE PUBLIC HEARING AT 9:03 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

- ▶ Councilmember Rasmussen explained the process they were currently working on to get all of this put together.
- ▶ Councilmember Holdaway stated that he wanted to make a similar amendment with records.
- ▶ Mayor Fullmer thanked staff and Chris Bramwell for all their hard work on putting this together. She then called for a motion.
- ▶ **Motion:** COUNCILMEMBER SIFUENTES MOVED 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 AS PRESENTED. COUNCILMEMBER CAMERON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

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

- ▶ Mr. Ellis reviewed the options for Fireworks and drone shows.
- ▶ Councilmember Sifuentes wished that the budget allowed for drones for every 9/11 event. She suggested that they trade off the drones and fireworks every other year. Mayor Fullmer felt that rotating them was fine. A discussion ensued.
- ▶ Councilmember Holdaway felt that they should move Vineyard Days out the council's control and have a committee run it. A discussion ensued.
- ▶ Councilmember Rasmussen asked them to consider people with PTSD and pets. Councilmember Sifuentes suggested that they have the event publicly noticed.
- ▶ Mayor Fullmer recapped the discussion and then called for a motion.
- ▶ **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE UP TO \$22,000 TO COVER THE POSSIBILITY OF DOING 200 DRONES BUT LEAVE IT UP TO THE COMMITTEE TO MAKE THE FINAL DECISION WITH THE RECOMMENDATION OF POSSIBLY GOING ON A ROTATING SCHEDULE. AND THE NOTIFICATION FOR VETERANS AND PTSD. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS CAMERON, HOLDAWAY, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9. CLOSED SESSION

No closed session was held.

10. ADJOURNMENT

- Mayor Fullmer adjourned the meeting at 9:15 PM.

MINUTES APPROVED ON: March 27, 2024

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

