MINUTES OF
THE VINEYARD CITY COUNCIL MEETING
125 South Main Street, Vineyard, Utah
November 14, 2018 at 6:00 PM

Present
Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Nate Riley

Absent
Councilmember Chris Judd

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, Planning Commission Chair Cristy Welsh, City Recorder Pamela Spencer, Water/Parks Manager Sullivan Love

Others Speaking: Brent Tuttle with Northern Engineering

6:00 PM REGULAR SESSION

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

OPEN SESSION – Citizens' Comments
Mayor Fullmer called for public comments. Hearing none, she closed the public session.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS
Councilmember Earnest reported that the Orem Hospital Outreach Board had free screening for children with potential physical and mental needs.

STAFF AND COMMISSION REPORTS
City Manager/Finance Director – Jacob McHargue – Mr. McHargue thanked everyone for their help with the Halloween event. He said that there were an estimated 2,500 people in attendance. He reminded everyone that the Vineyard Blizzard 5K was this Saturday at Grove Park. He said the event was in need of volunteers from 8:30 AM to10:30 AM. He reported that they had a follow up meeting with the train station group and that staff was working on water storage with Orem City.

Public Works Director/Engineer – Don Overson – Mr. Overson had no new items to report.

City Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff's Department – Sergeant Holden Rockwell – Sergeant Rockwell had no new items to report.

Community Development Director Morgan Brim & Planning Commission Chair Cristy Welsh – Mr. Brim had no new items to report. Chair Welsh reported that at the last Planning Commission meeting they reviewed the code amendments that were being presented tonight. She mentioned that Starbucks has applied for a sign waiver which had been approved with conditions. She reported that the Planning Commission had held a special meeting right before the City Council meeting where they approved recommending approval of The Yard Plat B which was on the council agenda for approval tonight. She added that they approved their meeting schedule for next year.

City Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

Building Official – George Reid – Mr. Reid had no new items to report.

Water/Parks Manager Sullivan Love – Mr. Love had no new items to report.

DISCUSSION ITEMS

No items were submitted.

CONSENT ITEMS

6.1 Approval of the October 24, 2018 City Council Meeting Minutes
6.2 Re-Approval of the Homesteads Pod 7, The Sycamores, Phases 1 and 2 Final Plat
6.3 Re-Approval of the Pod 1, The Orchards Phase 1 Final Plat
6.4 Approval of The Yard Plat A Final Plat – Name Change

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT CALENDAR. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

MAYOR'S APPOINTMENTS

No names were submitted.

BUSINESS ITEMS

8.1 DISCUSSION AND ACTION – Preliminary and Final Plat Approval –The Yard Plat B

City Planner Elizabeth Hart will present the applicant's request for preliminary and final plat approval of The Yard Plat B. The subject property is currently platted as the 400 North Commercial Subdivision, and is located on Mill Road, south of the Megaplex development and north of Edgewater Townhomes. The subject property is within the Regional Mixed-Use (RMU) zoning district and contains approximately twenty-three (23) acres of land. The applicant is proposing to subdivide the subject property into a total of eight (8) lots. A private lane runs from south to north centrally through the property connecting 400 North to the southern leg of the round-about serving the Megaplex development. The mayor and City Council will take appropriate action.

Mr. Brim gave a brief description of the applicant's request. He said that the plat included 23 acres south of the Megaplex development. He mentioned that they were the same owners but they had changed the name from "Mill Town" to "The Yard." He explained that they were subdividing one lot into nine parcels with one lot being set aside for future light rail. He said the property's layout was intentional for specific uses. He said that several of the lot sizes would be flexible to accommodate a wide variety of uses. He explained that there would be two corporate sites, three medical office buildings and three retail parcels. He explained the road layout.

Brent Tuttle with Northern Engineering said that the final details would be coming with the site plans.

Councilmember Earnest asked how long it would be until the tenants would be open for business. Mr. Tuttle replied that they already had a couple tenants ready to go.

Councilmember Riley asked about the access into the development and when they would be installing the infrastructure. Mr. Tuttle replied that the infrastructure would be installed as the area developed. Mr. Brim explained that the development would have right-in/right-out access off of Mill Road and full access from 400 North. He thought that they might be phasing in the infrastructure as development progressed. Mr. Tuttle explained how and when the lots might be installed.

Mayor Fullmer called for further questions. Mr. Brim stated that Planning Commission had set up a special meeting to accommodate the applicant and recommended approval of the plat.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE PRELIMINARY AND FINAL PLAT OF THE YARD PLAT B PRELIMINARY PLAT WITH THE CONDITIONS AS PROPOSED.
CONDITIONS:
1. THE APPLICANT PAY ANY OUTSTANDING FEES
2. THE APPLICANT MAKE ANY REDLINE CORRECTIONS PRIOR TO THE RECORDATION OF THE PLAT.

COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

8.2 PUBLIC HEARING – Zoning Code Text Amendments (Ordinance 2018-16)

Community Development Director Morgan Brim will present text amendments to the Vineyard Zoning Ordinance including:

- **Section 15.12.050 District Use Table –** To allow home occupations within the RMU, to allow environmental remediation activities as a permitted use and clarifying occupancy of dwelling units.
- **Section 15.32.120 Exception to Maximum Height Limitations –** to remove flagpoles.
- **Section 15.34.060 Accessory Dwelling Units –** to clarify where the exterior and interior entrances must be located.

- **Section 15.38.030 Parking Requirements –** to add a maximum driveway slope, removing the drive-thru standard and changing parking standards for medical offices and clinics.
- **Section 15.40.080 Design Standards and Requirements –** to refer planting installation and materials to the approved Vineyard Tree Manual and to change street tree requirements.
- **Section 15.60.020 Definitions – to c**larify one family occupancy per dwelling unit.
- **Special Purpose Zoning Districts, Section 2.08.5 Development Standard – Building Height –** to refer to the District Use Table for the RMU district.
- **Chapter 15.44 –** to delete in its entirety and reference Title 11 in the Municipal Code.

The mayor and City Council will act to approve (or deny) this request by ordinance.

Mr. Brim gave a brief overview. He said the they were cleaning up the code and as changes were being made there were conflicts in other parts of the code.

Section 15.12.050 District Use Table

Single Family - define that one family could live in a dwelling unit. Mr. Brim reviewed the current definition of family. He said that they wanted to make it clear that only one family was allowed per dwelling unit. Mr. Church explained that there was no place in the code that stated that only one family could live in a dwelling unit.

Home Occupations - allowed wherever they allow residents. Mr. Brim explained that the Home Occupations were not currently allowed in the RMU district and they needed to change that to allow for Home Occupations wherever residential units were allowed.

Environmental Remediation – regulated by federal and state governments. Mr. Brim explained that there were ongoing environmental remediation activities on the Anderson Geneva property, which currently required a conditional use permit. He felt that the code should be changed to a permitted use because of the federal and state governance. Mr. McHargue mentioned that the contractor doing work on the east side of the rail road tracks on the Anderson Geneva would be making a presentation at the City Council meeting on December 12. Mr. Church explained that this work was for the Containment Area Management Unit (CAMU). He explained how this worked. He stated that US Steel would be participating along with the RDA and the landowner. This would a permanent storage of hazardous materials. He noted that the RDA was already allowing cleanup and felt it should be a permitted use.

Councilmember Riley asked how the city was notified when they were doing the work. Mr. Church explained that part of the State permit process was that the city received notification of the issuance of the permit. He said that they also received a call from US Steel to inform the city. Mr. McHargue added that they city had a local contact with DEQ who was keeping them up to date. Councilmember Riley asked about other projects such as concrete removal and what their process was. Mr. McHargue replied that they would get notification from the state. Mr. Brim pointed out that this would not change how they had been done in the past.

Section 15.32.120 Exception to Maximum Height Limitations – Mr. Brim explained that they needed to remove the exception for flagpoles because it was already included in the sign code.

Section 15.34.060 Accessory Dwelling Units – Mr. Brim explained that they needed to clarify that ADUs were required to have an exterior entrance for emergency services, as well as an interior entrance.

Section 15.38.030 Parking Requirements –

Grade/slope – Mr. Brim explained that there were no standards for maximum grade on driveways. He said that they were recommending an 8% maximum grade, which would still allow for some slope.

Drive-thru standards – Mr. Brim explained there were drive-thru standards in two locations so they were removing them from the Parking Requirements section.

Medical Offices and Clinics – Mr. Brim explained that the current parking requirements were high compared to other cities in the valley. He said that staff's proposal was to lower the requirement from one parking space per 150 square feet to one parking space per 200 square feet, to bring it into alignment with the rest of the development. Councilmember Riley asked for more information about parking requirements and a discussion ensued.

Section 15.40.080 Design Standards and Requirements –

Landscaping Standards – Mr. Brim stated that they were changing the code to refer contractors and residents to the Vineyard Tree Manual.

Street Frontages – 15.40.080 tree standards - Mr. Brim explained that the spacing of trees was set at 20 feet, which was too close. He said that the Planning Commission felt the 40 feet was too far apart so they had recommended not approving this section to allow for further discussion. Mr. Brim noted that the tree manual included spacing requirements. Councilmember Flake felt that they needed to go beyond the manual and include more verbiage to guide people. He also felt that the whole section needed more work. Mr. Brim suggested that the Planning Commission hold a work session to define the section.

Section 15.60.020 Definitions – Mr. Brim explained that they had added verbiage to include one family per dwelling unit, to match the District Use Table.

Special Purpose Zoning Districts (15.14), Section 2.08.5 Development Standards – Mr. Brim explained that the Dimensional Standards Table was in conflict with the RMU Zoning District height requirements. He said that they were recommending removing the height in the Special Purpose Zoning District section, and referencing the Dimensional Standards Table.

Chapter 15.44 Building Code – Mr. Brim explained that there was a Building Code adopted into the Municipal Code so this code was in conflict with that code. They were recommending deleting this code in its entirety and referencing Title 11 in the Municipal Code.

Mr. Brim stated that staff was recommending approval and Planning Commission was recommending approval with the exception of 15.40.080 Part 6(e) related to tree spacing requirements.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 6:41 PM. COUNCILMEMBER RILEY SECONDED THE MOTION.

Mayor Fullmer called for public comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 6:41 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

Mayor Fullmer called for further discussion. Hearing none, she called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED APPROVE ORDINANCE 2018-16, EXCEPT 15.40.080 PART 6(E) RELATED TO TREE SPACING REQUIREMENTS. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

8.3 DISCUSSION AND ACTION – <u>Amended and Restated Interlocal Agreement with the Utah Local Governments Trust (Resolution 2018-16)</u>

City Manager/Finance Director Jacob McHargue will present a resolution approving and entering into an agreement creating the Utah Local Governments Trust. The mayor and City Council will act to approve (or deny) this request by resolution.

Mr. McHargue explained the purpose of the Utah Local Governments Trust (The Trust). He said that The Trust was unable to locate a signed contract with Vineyard and recommended approving and signing an amended and restated contract.

Mr. Church explained that The Trust was an interlocal agency and Vineyard had signed an agreement to join The Trust. He said that this would allow the city to participate as a member. He recommended approval.

Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE AMENDED AND RESTATED INTERLOCAL AGREEMENT WITH THE UTAH LOCAL GOVERNMENTS TRUST, RESOLUTION 2018-16. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

8.4 DISCUSSION AND ACTION – <u>2019 Meeting Schedule</u>

City Recorder Pamela Spencer will present the recommended City Council meeting schedule for the 2019 calendar year. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Recorder Pamela Spencer.

Ms. Spencer explained the process. She said explained that this was to approve the dates for the second and fourth Wednesday meeting schedule. She mentioned that if council wanted to change the day and time of the meeting schedules, they would have to do that by ordinance at the next council meeting. There was a discussion about the dates.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE MEETINGS TO REMAIN ON THE SECOND AND FOURTH WEDNESDAYS OF EACH MONTH BEGINNING AT 6:00 PM, WITH THE EXCEPTION OF NO MEETING ON JULY 24, AND ONLY ONE MEETING IN NOVEMBER AND DECEMBER OF 2019. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

CLOSED SESSION

No closed session was held.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 6:48 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND RILEY VOTED AYE. COUNCILMEMBER JUDD WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is December 12, 2018.

MINUTES APPROVED ON: December 12, 2018

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