

**MINUTES OF THE
VINEYARD CITY COUNCIL MEETING**
125 South Main Street, Vineyard, Utah
December 12, 2018 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Nate Riley

Absent

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, City Planner Elizabeth Hart, City Recorder Pamela Spencer, Water/Parks Manager Sullivan Love

Others Speaking: Mark Rupnow and Mark Wiltse with US Steel, Steve Hutchins and Eric Towner with X Development, Stewart Park with Anderson Geneva

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

6:00 PM WORK SESSION

2.1 US STEEL CAMU PRESENTATION

Representatives from US Steel will provide the City Council and Vineyard residents information about the construction plans for the CAMU (Containment Area Management Unit).

Mayor Fullmer turned the time over to Mark Rupnow with US Steel.

Mr. Rupnow stated that he was there to present an update about the work going on at the Geneva Steel site. He gave a brief history of the site. He said that they were still attached to the site because of permit issued by the Utah Department of Environmental Quality (UDEQ) in 1989, called the post-closure care and facility-wide corrective action permit. He stated that they were co-permittees with Anderson Geneva. He mentioned that they had already done an extensive amount of cleanup on the site from 800 North going south. He explained that the portion of the site that was left for them to clean up was east of the railroad track from 800 North to 1600 North. He said that the best course of action would be to build a corrective action management unit (CAMU). He explained that they had been working with UDEQ for several years to get the permit to move forward. He said that there was still a lot of material that needed to be moved from the site where the CAMU would be located. He explained that once the CAMU was built they would remove the soil and waste, stabilize the material, place it in the CAMU, cap and close it, and grade the land to create a hill. He said that they would be required to monitor the CAMU post closure.

Other highlights of the presentation were:

- Overall Work Area (Eastside) - Approximately 400 acres
- Site Preparation - Approximately 1.2 million cubic yards
- CAMU Embankment - Approximately 550,000 cubic yards
- CAMU Area - 33 acres
- CAMU Height - 46 Feet
- CAMU Storage Capacity - Approximately 800,000 cubic yards
- Liner Materials - Approximately 4 Million square feet
- Final Cover / Cap Materials - Approximately 100,000 cubic yards
- Interim Grading - Approximately 300,000 cub yards

Mr. Rupnow showed, on a map of Vineyard, where the CAMU would be located. He further explained what would be cleaned up on the 400 acres. He presented two images, one of how the site looked present day and the other of how the site was projected to look with the CAMU. He gave a rundown of their schedule:

- January 2018 to present – Mobilization with trailers and equipment
- January 2019 to September 2019 – Site preparation and preliminary construction
- June 2019 – Design approval
- July 2019 – November 2019 – CAMU construction
- October 2019 – August 2020 – waste removal, stabilization, and placement into the CAMU
- September 2020 to November 2020 – CAMU closure and interim grading

Councilmember Judd asked who was cleaning up the site. Mr. Rupnow replied it would be their contractor prepping the site. Councilmember Judd asked about the liner they would be using. Mr. Rupnow replied that it was a composite of different plastics and clay materials, which should last for decades, if not centuries. He explained that they had to prove to UDEQ that the materials would be compatible with the waste materials.

Councilmember Earnest asked about safety concerns if the hill were to be used by residents. He asked if it would be accessible to residents, etc. Mr. Rupnow replied that it did not have to be fenced off, even though there were a lot of other sites that were. He explained that it would be capped and not unsafe.

Steven Hutchins with X Development asked for a review of where the CAMU would be located. Mr. Rupnow reviewed the location of the cleanup areas and the CAMU.

Councilmember Riley asked about additional cleanup on the UVU site on the east end of that property. Mr. Rupnow replied that the initial cleanup had been done on the UVU property and it was not part of this remediation project.

Eric Towner with X Development asked if the concrete on the site would impact their cleanup. Mr. Rupnow replied that they would only remove concrete if it was in the way of the cleanup. He mentioned that they would utilize the current concrete crushing operation on the site.

Councilmember Judd asked who would be the main point of contact. Mr. Rupnow replied that he would be the main point of contact along with the project manager Mark Wiltse.

Mr. Church reminded the council that this was the part of the project that the RDA had agreed to participate in financially. He said that there would be a payment made this week towards the project. He explained that US Steel was cleaning up environmental hazards as identified by

UDEQ. Mr. Rupnow added that clean up meant that they had satisfied the regulations from UDEQ and the site was safe for humans and from environmental exposures.

2.2 SHORT-TERM RENTAL REGULATIONS

The City Council and staff will discuss possible short-term rental regulations. No actions will be taken at this time.

Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim gave a brief overview of a discussion held in a previous meeting. He said that he was looking for direction from the council on how to proceed.

Councilmember Judd asked about the time allowed for people to apply for a nonconforming use and how many people had applied for it. Mr. Brim replied that no one had contacted him. Mayor Fullmer thought that as part of the original discussion they agreed that the short-term rental owners should come in and apply. She thought that there was also a discussion that if people continued to use their short-rental and a complaint came in, then they had to prove they were in operation from the time they were accepted as a preexisting non-conforming use. Mr. Brim thought that the city had asked them to come in and provide the documentation of their short-term rental use. He added that if there was a complaint, they would need to provide documentation. Councilmember Earnest expressed concern with telling people what they could do with their homes. Councilmember Judd felt that private property rights were important but felt that there was a reason for a process for businesses in the home and going through the proper channels. He thought that the short-term rental owners were to give that documentation at that time. He said that there should be an understanding of what a residential zone was versus a commercial/hotel zone. Councilmember Earnest suggested that they work on a process to make short-term and long-term rentals possible.

Mr. Church commented that this was a hot issue in most cities in the state and across the country. He suggested that they consider if it was a residential or commercial use. He said that most of the cities were discussing things such as allowing short-term rentals that were owner occupied or allowing investors to buy homes for the purpose of only renting them out. He said that the other issue was allowing the short-term rentals, but have them be licensed, registered, and pay the transient room tax, to compete with hotels and bed and breakfasts. He said that he did not see it as a significant legal issue at this time, other than needing to decide at what level they want to protect the residential character of the neighborhoods.

Mr. Brim explained that the definition in the current code limited short-term rentals to under 30 days. Mr. Church mentioned that the 30 days came from the state tax code.

Mr. Brim further explained that in the District Use Table 15.12.050 short-term rentals were a non-permitted use.

Benefits of short-term rentals were:

- Flexibility for people coming in for a short time to visit family and to be near the events they wished to attend. He added that the demand for short-term rentals was high in The Lakes at Sleepy Ridge area, because it was close to the golf course for weddings, etc.
- Increased capacity for tourism. There were currently no hotels in the area and short-term rentals would allow for getting people into the city.
- Economic Impacts. Short-term renters purchase gas, go to movies, and eat food.
- Offset the cost of homeownership

- Maintenance of the home was better with short-term rentals than with long-term rentals
- Not as much oversight with long-term versus short-term rentals

Concerns with short-term rentals:

- Creates a transient population. Has an impact on your life because you don't know your neighbors
- People will be in vacation mode, which creates complaints because of noise and parking
- Destabilizes neighborhoods
- Decreases the number of long-term rentals, which increases those costs
- Missed tax revenues

Mr. Brim explained that he had looked at the city of Cottonwood Heights which restricts the single-family home from short-term rentals and leans them towards the townhomes and condominiums. He said that they had an annual fee instead of a transient tax. They limited it to no more than four (4) bedrooms and the manager had to be local and available 24 hours.

Mr. Brim explained that Sandy City had created a newer ordinance. He said that the purpose was to allow single and multi-family homes to be used as short-term rentals to allow economic relief, which allowed people to stay in their neighborhoods. He said that they had to be owner-occupied and the city would perform an annual audit. There was also a business license required. He said that they could have no more than eight (8) related or four (4) unrelated people, which did not include the owner, for a limited number of nights. They also had a limited number of permits per community with a waiting list. He said that it was administered through an administrative use permit, which was done on a staff level.

Mr. Brim stated that staff was recommending (Option 1) allowing short-term rentals through owner-occupied units similar to the Sandy ordinance, and also (Option 2) allow them when constructed in developments specific to short-term rentals, which would be controlled under one (1) management company. He also recommended that they look at the transient room tax.

Mr. McHargue said that the information he received from many of the city managers was the frustration with the ability to enforce the code. He stated that many of the cities had quit enforcing violations. Mayor Fullmer stated that they currently had short-term rentals, but had no way to enforce them.

Councilmember Riley expressed concern with Option 2 and where they would locate the short-term-only developments. Mr. Brim replied that they would be townhomes or condominiums and the code could be written to limit them to the Town Center area. Mr. Church suggested that some of the current multi-family owners might turn their units into short-term rentals, which was not legal in the current code. Councilmember Flake stated that he was not okay with Option 2. He expressed concern with investors coming into the new large development near the lake and purchasing 20 units. Mayor Fullmer felt that they might do that anyway and regulating them to the Town Center might give the city a way to enforce the code, if they were to catch the use. Mr. Brim suggested that they write the code to allow for a condominium-style building located in the Town Center. It could provide some capacity, if they did not have a hotel. Councilmember Judd felt if it was located in the correct areas, he would be comfortable with it. He said that the issue was allowing the current multi-family units to have them because there was not enough parking. He added that the requirements needed to be strict, including using the parking allowed in the garages and driveways and that on-street parking would not be allowed. He said he did not want to create more parking issues. Mr. Church said that short-term rentals were self-limiting because

they were marketing against each other. He said that communities feared short-term rentals because of the concern that all of the homes would be that way. He said that Vineyard would have a limited demand created by destination locations. Councilmember Judd asked if other cities had limited the number of units per development. Mr. Church explained that there were cities that only allowed a certain number of licenses and had area restrictions. He said that if they allowed only owner-occupied short-term rentals, it would be self-regulating. He felt that the problem with investors would be people who wanted to compete with the apartments for long-term rentals. Councilmember Flake stated that he was not opposed to the concept but was concerned with code enforcement. He suggested that they do it in phases to limit the exposure of the need for code enforcement. Mr. Brim said that was why they suggested more of the owner-occupied, to help control it.

Mr. Brim suggested that they could bring back a draft for both options. He also suggested that they could put development standards in the code to make it a use category with regulation for parking and local management, etc.

Mayor Fullmer felt that it might be helpful for councilmembers to email staff with any concerns they had before the ordinance went to Planning Commission. She commented that short-term rentals were already happening in Vineyard and were going to increase. She wanted staff to come up with a plan, send it to Planning Commission and then to City Council for further discussion and approval.

Councilmember Judd felt that they needed look at what the city could do to enforce the code. Mr. Brim replied that Sandy City had fines in place. Mr. Church mentioned that this was Sandy City's new ordinance. He said that if they put money into the enforcement, they could do the enforcing. He said that the majority of the websites that most people rent through were set up to collect the fees and taxes and they would know more about who was doing the rentals. Mr. McHargue explained that the city currently collected those taxes.

Council agreed to have staff do more research, create a draft ordinance, send it to Planning Commission, and then bring it back to council.

2.3 GENERAL PLAN AMENDMENT PROCESS UPDATE

City Planner Elizabeth Hart will present updates to the General Plan Amendment Process.

Mayor Fullmer turned the time over to City Planner Elizabeth Hart.

Ms. Hart explained that the consultants and planning staff had held a General Plan Community Workshop on September 18. She said that the workshop included a keypad polling presentation and board exercises to allow participants to prioritize components of the vision and elements of the General Plan. She mentioned that about 450 people participated either at the workshop or online. She explained that the responses would be used to help draft the vision and chapters in the plan. In the next few weeks staff would receive a draft of the chapters from the consultant firm for a preliminary review and then there would be another workgroup meeting. There would also be another community workshop in February 2019.

Ms. Hart reviewed answers to a few of the questions:

2. How old are you?

- 47% Between the age of 30-39
- 31 % Between the age of 20-29

3. How long have you lived in Vineyard?
- 73% Lived in Vineyard for less than 3 years.
4. Current 2004 General Plan Vision: “To maintain the integrity and quality of rural living in a well-planned, well-organized fashion so as to safeguard a peaceful, independent, beautifully kept, livable community”. Thinking ahead 10-15 years from now, would this reflect your values and vision for the future?
- 79% Felt that the current General Plan reflected the vision of Vineyard’s Future
5. What qualities brought you to Vineyard?
- 58% Location was the number one quality
 - 54 % Family friendly
 - 48% Safe place to live
 - 36% Small-town feel
7. What are the biggest challenges facing the Vineyard community?
- 62 % Protecting the small-town character
 - 49 % Providing more retail and other businesses
 - 43% Providing adequate utilities/public services
8. Which of the following outcomes are most important to you for the future of Vineyard?
- Better mix of uses throughout the city
- Councilmember Flake asked what percent of people voted with the keypad verses the online survey. Ms. Hart replied that there were more online responses.
11. Which capital improvements should the city prioritize?
- 61% Parking
 - 56% Sidewalks/Trails
13. Do you think the City should continue to actively pursue local and regional transit option improvements?
- 58% yes
 - 30 % no
 - 12% I don’t know

Councilmember Judd asked how this correlated with preserving the small-town feel because increasing the transportation options could hurt that. Councilmember Flake asked if it correlated with a lack of knowledge. Mayor Fullmer asked if “small-town” feel was not defined differently. Councilmember Judd felt that it was the life cycle of the city. Councilmember Flake felt that people did not always understand what the questions were asking so some of the feedback could be false.

14. What type of housing was most needed in Vineyard?
- 79 % Large lot single-family (8000 square feet or more)
 - 68% Small single-family lot (8000 square feet or less)
 - 15% Senior living

18. In terms of recreation, Vineyard needs...?

- 76% More areas to enjoy along the lake front
- 51% A community recreation center

23. Finally, which of the General Plan elements do you think requires the greatest focus?

- 39% Land use
- 31% Open space, recreation, and trails
- 25% Economic development

Additional Comments:

The majority of the comments were based on high density housing, parking, and open space.

Ms. Hart reviewed the boards where people were able to pick the items they liked best for each of the chapters in the General Plan. She mentioned that staff had conducted a business workshop and survey, but had not yet received the results at this time.

Councilmember Judd requested that staff make this report available to the public.

7:00 PM REGULAR SESSION

OPEN SESSION – Citizens’ Comments

Mayor Fullmer called for public comments. Hearing none, she closed the public session.

MAYOR AND COUNCILMEMBERS’ REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake reported that at the Utah Lake Commission meeting they discussed funding for removal of the phragmites. He reviewed the process they would be doing to remove them. He mentioned that they would be removing the phragmites near Vineyard round the end of June. He recommended that they should send out a notice to the residents. He also mentioned that they would be spraying the phragmites around the entire lake. He said that there had been a presentation at the Lake Commission meeting about the Walkara Way project, which received positive feedback. He said that both the National Park Service representative and the local legislative representative were confident it would be funded. Mayor Fullmer asked on what priority level they had put the Walkara Way project on. Councilmember Flake replied that there would be a bill in the legislature this year. He reported that funding was in place for the U.S. Army Corps of Engineers’ study for the lake development and that the state had formed a review board. He said that the commission had sent out a request for information (RFI) for anyone that had ideas of how to get rid of algae. He stated that Provo has won a grant to build a state-of-the-art water treatment plant. Mr. McHargue mentioned that Provo would have to increase the residents’ sewer costs to cover the remainder of the costs to build the plant. Councilmember Flake commented that the lake had only had two regular water years in the past 10 years.

STAFF AND COMMISSION REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that staff had met with the Heritage Commission for the summer event. He explained that this would be a 3-day combined event with the Summer Celebration. He added that they were currently working on

getting sponsors for the event. He reported that he had attended the Utah League of Cities and Towns Legislative Policy Committee meeting where they talked about affordable housing and how to meet the needs. They also discussed changing how the state handled sales tax distribution. He said that the league would be taking a proactive role. Councilmember Judd asked if Vineyard was providing affordable housing and if they should create a proactive approach. Mr. Church replied that the state had a definition of affordable housing and felt that Vineyard was a good example of cities being proactive and doing their best. He said that he was not sure of how to meet the needs when Vineyard already had smaller lots, smaller yards, and accessory units, but housing prices kept going up and they still did not meet the moderate-income housing level for Utah County.

Mr. McHargue stated that there were a lot of impacts that made housing unaffordable. He said that they talked about time it took to get through the city processes, the cost of impact fees, site improvement costs, bonding costs, etc. He said that the league thought the one requirement might be that cities have an affordable housing plan and to verify that they were following it. Mayor Fullmer mentioned that the city had been meeting with people to talk about housing projects that required deed limitations. She said that it could not be a one-plan-fits-all-cities plan.

Mr. Church felt it would be interesting to see if the legislature broadened the base on the sales tax issues. He explained that the sales tax was 1% and the split was 50% point of sale and 50% population. Cities wanted to know if that was a fair distribution. Should it be point of sale or based on population? He also mentioned that the governor had suggested a sales tax on services. Mr. McHargue mentioned that online sales tax was paid at point of delivery.

Mr. McHargue reported that he had attended the North Pointe Solid Waste Special Service District board meeting where they approved the budget. He said that the director had requested to meet with the city to extend the current contract.

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 Office – Sergeant Holden Rockwell – Sergeant Rockwell had no new items to report.

Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh – Chair Welsh was excused and Mr. Brim had no new items to report.

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

7.1 Approval of the November 14, 2018 City Council Meeting Minutes

Mayor Fullmer called for motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE CONSENT ITEM 7.1. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

MAYOR'S APPOINTMENTS

No names were submitted.

BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – 1750 North Road Dedication Plat

City Planner Elizabeth Hart will present the request for approval of the 1750 North Road Dedication Plat. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Planner Elizabeth Hart.

Ms. Hart gave a brief explanation of where the road was located. She said that the applicant was proposing to dedicate about 3 acres of right-of-way. She added that the road had been built to engineering standards and that staff was recommending approval.

Mayor Fullmer called for questions.

Councilmember Judd asked if this road dedication would make the entire section, up to the FedEx building, a public road. Ms. Hart replied that it did not. Mayor Fullmer asked if they had received any more information about the private crossing. Mr. Overson replied that it was not public and that was why the rest of road was not public. He added that it was indicated on the plat.

Mayor Farnworth asked if there were any further questions.

Stewart Park with Anderson Geneva explained that this was a private crossing that had been licensed to Anderson Geneva through Union Pacific. He stated that if the full access was granted to Pioneer Road it would open the area to additional traffic and Union Pacific could revoke their permit. He felt that this could be a reason for the city to put the spur line removal higher on the priority list, which would remove the private crossing. Mr. Church asked if Anderson Geneva would prefer that the private road be blocked from access to the new public road. Mr. Park felt that it was not their preference, but it would run the risk if they opened up the road. He added that it was initially going to be a breakaway gate for emergencies. He stated that Anderson Geneva continued to own the private roads because of the private crossing. He said that if this road dedication were to be approved it would become accessible to the public. He added that all of the landowners in the East Lake development had a contract, which allowed them to use that private crossing. Mayor Fullmer asked if this would be an issue with progress for the city

working with Union Pacific. Mr. Church felt that it was not an issue with the progress. He stated that the people being served by the new public road did not have any right to the private roads, but they needed access from the other direction. He said that having the roads connected might be best for public safety and circulation, but the city had no right to access the public road if Anderson Geneva did not want them to. Mayor Fullmer asked if since Union Pacific had signed the agreement to remove the rail spur would the public crossing be an issue. Mr. Church replied that he did not know what the issue would be with Union Pacific, but the concern would be that the city was not moving fast enough which could be a leverage issue. Mr. Park reiterated that it was a private crossing. Mayor Fullmer suggested that they add stipulations into the approval to address this issue. Mr. Park stated that if it became an issue then they might have to put up a gate at the crossing.

Councilmember Judd asked about the agreement between Anderson Geneva and Union Pacific. Mr. Church replied that this was an existing private access that was there before Anderson Geneva purchased the land. He said that Union Pacific did not want a level crossing and would not approve a public road. Mr. Park explained that they had signs in place stating the road was for private access. Mayor Fullmer asked if they needed to approve the plat with a stipulation that they make sure the crossing was private. Mr. Church replied that the developer needed to understand that others would not have access.

Councilmember Riley mentioned that traffic at 5:00 PM on Pioneer Road, going east, was a nightmare. He said that to provide a second access to get to the signal light, they would be inviting and redirecting a lot of the traffic. Councilmember Judd asked if it was the developer or Vineyard City wanting it to be a public road. Mr. Overson felt that it was a mutual agreement because the developer wanted to dedicate the road as part of the development, which Vineyard also wanted. He said that if they read the note on the plat it stated that the road was private for public use. Councilmember Judd asked what the long-term plan would be if the rail spur were removed. He asked if the private road would meet city standards and if they would want to dedicate it to the city for public use. Mr. Park replied that once the spur line went away the road would become public, since currently it could not be public because there was no protection when crossing the railroad.

Mayor Fullmer asked if the council needed to add a stipulation. Councilmember Judd suggested that they put up cement barriers. Mr. Church stated that this would be the landowner's responsibility. He asked if the city was going to accept the public road from the developer knowing it may be a dead end.

Sergeant Rockwell felt that his response time would be more difficult if they put up a cement barrier. He suggested that they could close the gate at Pioneer Road and keep the access at 1600 North. There was further discussion about blocking off the road. Councilmember Judd asked what would happen if development decided to protect their private crossing right and block off both ends of the road. Mr. Church replied that the new landowners did not have the same rights as Anderson Geneva.

Mr. Church recommended that the council accept the dedication as long as the engineers had approved it, that it was being dedicated at no cost to the city, would facilitate traffic and response time, and also allow Anderson Geneva to block it off if it became an issue.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE 1750 NORTH ROAD DEDICATION PLAT. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

9.2 PUBLIC HEARING – Amend the Zoning Code and Repeal the Development Code (Ordinance 2018-17)

Community Development Director Morgan Brim will present proposed amendments to the Zoning Code and the repeal of the Development Code adopted February 1992 as amended. The mayor and City Council will act to approve (or deny) this request by ordinance.

Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that the amendment to ordinance was to replace the Board of Adjustment with a Land Use Hearing Officer. He explained that the hearing officer would also be the Administrative Law Judge. He said it provided the ability for the hearing officer to listen to administrative appeals. Mr. Church further explained that this was not for legislative decisions. He said that the ordinance tracked the minimum requirements by state law. Mr. Brim stated that Planning Commission was recommending approval.

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

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:37 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

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 7:38 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mr. McHargue mentioned that they had been working on a Request for Proposal for an Administrative Law Judge.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE AMENDED ZONING CODE AND REPEAL THE DEVELOPMENT CODE, ORDINANCE 2018-17. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

9.3 DISCUSSION AND ACTION – Request to Amend CUWCD Agreement

City Manager Jacob McHargue will present a request to amend the CUWCD agreement. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over City Manager/Finance Director Jacob McHargue.

Mr. McHargue explained the agreement with Central Utah Water Conservancy District (CUWCD). He said that they were purchasing water in blocks and had an additional 200-acre foot block scheduled to be purchased this year, which they would not need at this time. He was recommending approval to send a letter to CUWCD requesting an amendment the contract.

Councilmember Judd asked if there would be any restrictions on when they could request more. Mr. McHargue replied that there were no restrictions. He said that the city had, for the next few years, up to 8000 feet they could purchase and after that they could purchase water on an as-needed basis. Mr. Church explained how the water purchase worked with CUWCD. Mr. McHargue explained the differences between purchasing water from Orem City and CUWCD.

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

Motion: COUNCILMEMBER EARNEST MOVED TO REQUEST TO AMEND THE CUWCD AGREEMENT. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.4 DISCUSSION AND ACTION – Personnel Policy and Procedures Manual (Resolution 2018-17)

City Manager/Finance Director Jacob McHargue will present proposed amendments to the Vineyard Personnel Policies and Procedures Manual. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to City Manager Jacob McHargue.

Mr. McHargue mentioned that he had sent out the revised manual for review prior to tonight's meeting. He explained that most of the changes were due to new federal and state requirements. He further explained that other changes were due to the fact that Vineyard was no longer a small town so the policies and procedures needed to be updated.

Mayor Fullmer asked if any of the councilmembers wanted a review of the changes. Hearing no comments, she called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE NEW POLICIES AND PROCEDURES MANUAL, RESOLUTION 2018-17. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

9.5 DISCUSSION AND ACTION – Rank Choice Voting

The mayor and City Council will discuss Rank Choice Voting and the state pilot program. The mayor and City Council will take appropriate action.

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

Ms. Spencer explained how ranked choice voting worked. A discussion ensued about rank choice voting. Ms. Spencer recommended participating in the pilot program. She mentioned that council would have until May 1 to reverse their decision. She added that Utah County anticipated that they would know by March if their new system could run the rank choice voting process. She felt it would be good to test the program while the city was still small.

Mayor Fullmer felt that it was important to have time to talk to people about it and be able to research what it meant. She thought that they could have the option to opt out while they researched it and if they did not feel it was going to work, then opt out of the program. There was a discussion about the timeline and the options.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE RANK CHOICE VOTING WITH THE STIPULATION THAT THEY REVISIT IT IN APRIL OF 2019. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

CLOSED SESSION

Mayor Fullmer called for a motion to go into a closed session.

Motion: COUNCILMEMBER JUDD MOVED THAT IMMEDIATELY FOLLOWING THE REDEVELOPMENT AGENCY BOARD MEETING THEY GO INTO A CLOSED SESSION TO HOLD A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES, AND TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. COUNCILMEMBER JOHN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 8:02 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is January 9, 2019.

MINUTES APPROVED ON: January 09, 2019

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