

**MINUTES OF A VINEYARD
CITY COUNCIL MEETING**
City Council Chambers
125 South Main Street, Vineyard Utah
December 11, 2019 at 6:01 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, Assistant City Engineer Chris Wilson, City Attorney David Church, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Planning Commission Chair Cristy Welch, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Building Official George Reid, Water/Parks Manager Sullivan Love, City Recorder Pamela Spencer, Planning Commissioner Anthony Jenkins

Others Speaking: Rob Smith and Shane Farnsworth with Alpine School District

6:01 PM REGULAR SESSION

1. CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION/INSPIRATIONAL THOUGHT

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

2. PRESENTATION

Rob Smith, Assistant Superintendent with Alpine School District, will present school district updates.

Mayor Fullmer turned the time over Rob Smith, Assistant Superintendent with Alpine School District.

Mr. Smith introduced himself as the Assistant Superintendent of Business. He mentioned that Dr. Shane Farnsworth, Assistant Superintendent of Operations would be joining them soon. He said that the school district looked back and was grateful for their traditions and the members of the community who had strong values, work ethic, and a commitment to community, family, God, and country. He said that they work hard to not forget their roots and what grounded them as a community. He stated that it had been a privilege to be a part of the district for 18 years. He gave a brief review of the school board members and the district boundaries. He explained that the district had 92 schools and 81,532 students. He mentioned that they would be starting construction on three schools, one of which would be in Vineyard.

Mr. Smith said that the number 1 board priority was to recruit and retain the very best teachers. He explained that the Utah State Legislature put money into the Teacher and Student Success Act along with additional funding for the school districts. He said that the board was able to create additional support by adding elementary counselors, school psychologists, board-certified behavior analysts, social workers, and school nurses. He explained that they organized the district into clusters to help meet the local needs. He said that they had a lot of website changes. Their theme this year was "Shine Alpine." They look for students, team members, and members in the community who were working hard to share their light and help others bring out their light. He mentioned that they also had social media sites to share information and communicate with those whom they serve. He turned the time over to Dr. Farnsworth.

Dr. Farnsworth said that they had made changes to their "snow days" procedures to help mitigate school closures. He explained that the changes were that there would be a two-hour delayed start on "snow days." If they anticipated a storm, then they would send out an alert the night before, that there may be a two-hour delayed start. The final decision would be made by 5:00 am the next morning. They would have staff at the schools as early as possible in case children were dropped off early. Secondary schools would go to a condensed schedule with a regular release time. Preschool and AM and PM kindergarten would be canceled. He mentioned that they would follow the same communication procedures in the event of an early release.

Dr. Farnsworth said that the school district was working with the planning commission on a new elementary school in Vineyard. They hoped to break ground this spring. He added that they were continuing to do school enhancements. Mountain View High School received new windows, paint, and a new state-of-the-art auto shop. He said they were studying a 5-year capital improvement plan, with the possibility of a 2020 bond for their high growth areas.

Dr. Farnsworth showed the site plan for the new elementary school. Entrances would be on the west and south sides of the building. The building would face west with the playfield at the back.

Dr. Farnsworth explained that they were rebuilding the Space Center in Pleasant Grove. They would be enhancing the building by adding a planetarium. He mentioned that they were working with Mr. McHargue on the water storage location at Orem Junior High.

Councilmember Riley asked what the approximate size of the new school would be in relation to Vineyard Elementary. Dr. Farnsworth replied that it would be about 10,000 square feet larger than the physical plan at Vineyard Elementary. He mentioned that the new school would feed into Orem Junior High.

Mr. Smith explained that they had worked with major corporations and individuals on the Space Center. He said that they had raised \$3.3 million in either cash donations or commitments for the project. He added that they were hoping to raise \$4 million. He explained how the Space Center worked and invited the council to visit it. There was a discussion about the Space Center.

Mr. Smith asked the council how the school district could better serve and support the city.

Councilmember Riley suggested that the school district work with the city in anticipating additional schools needed, as the Town Center was being built.

Councilmember Earnest asked if Vineyard would get their own high school. Mr. Smith replied that there was a lot of capacity in the current schools. He explained that they would need about 40 to 50 acres of property and the school could cost anywhere from \$75 to \$85 million to build.

He felt that it was unlikely that a high school would be built in the community, but there could be a different type of high school using a different curriculum. He said that they were looking at ways that students could stack a credential that would help them transition faster into the workforce. Dr. Farnsworth explained that five to seven elementary schools would feed into a high school. He said that they would be interested in looking at technology and partnering with businesses in the development north of 800 North.

Councilmember Earnest stated that he liked the emphasis he was seeing on relevant learning that was applicable to real life.

Mayor Fullmer thanked them for coming.

3. PUBLIC COMMENTS

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

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Mayor Fullmer stated that she had moved to Vineyard about 10 years ago when there were not a lot of people. She said that she had been excited to be a part of the changes and growth in the city and got involved right away, and had been able to serve with Councilmember Riley from the very beginning. She said that she had the opportunity to look to him and ask him for guidance. She said that his advice was always given with love, sound judgment, and kindness. It had been inspiring to work with him over the years. He had been there as she transitioned from Planning Commission to City Council and now as the mayor. He had always been supportive and a good friend. She thanked him for his service, inspiring vision, leadership, and example. She felt that the city would not be what it was today and be this great without the sacrifice that he and his family had given to the city. She presented him with a gift basket and plaque, thanking him for his years of service.

Councilmember Flake said that when he first moved to Vineyard six years ago, he met Bishop Riley and was able to serve for and with him. The past four years he had the privilege of sitting next to him on the council. He said that Councilmember Riley was a good man and felt that he had given his all to the community. They were most fortunate to have had him to watch over the needs of the future residents of the community and have a vision for what things should be. He said that the vision had to change a number of times and no one on the council was an urban specialist but had to take everything they knew and come up with good solutions and Councilmember Riley was good at it. He hoped that the council could fill that role.

Councilmember Judd said that he didn't know if anyone had the great experience of being able to roll the dice with a man as he had. (Councilmember Judd was referring to when he had to roll the dice with Councilmember Riley, to determine the outcome of the 2015 election.) He stated that he was glad that Councilmember Riley had won. He said the Councilmember Riley cared about the individual. There had been multiple times that he sought Councilmember Riley's advice and he always reminded him to think about the individual. Councilmember Riley helped the City transition from 104 families to where they were now. Without his foresight and that of past councils, they might not be here. He said that he owed a great deal of gratitude and debt to Councilmember Riley and his family. He thanked Councilmember Riley for his service and his family for allowing him to serve.

Councilmember Earnest said that he echoed all of the thoughts shared by the other councilmembers. He shared an event that happened this past year. He said that after returning home from a stay in the hospital on Sunday, May 5, he received a text from Councilmember Riley. He read the text: "Hello John, I am so glad to hear that you are home. I was shocked to hear of your latest ordeal. You, your wife, and family have been in my thoughts and prayers. As I was thinking about you and your family, I thought about one of my favorite EFY songs and wanted to share it with you. See the link below. Love you brother, Nate." Councilmember Earnest said that the song was called "Strong." He said it summed up who Councilmember Riley was because he took the time to send him some strength that he was in desperate need of, to continue fighting. He said that he was grateful to be a part of this council with him.

Councilmember Riley said that he had mixed emotions and was not sure he wanted to run again because he had other priorities that needed more of his time. He said that he was grateful for the opportunity he had to serve. He hoped that by saying service he did not scare anyone away. He said that any time they served, it involved sacrifice. The city needed people who were willing to sacrifice and serve. He mentioned that he had served 14 years on the council and two years on the Planning Commission. He said that it was a lot of meetings. He promised that there was not one time that his family complained. He missed sporting events with kids and missed council meetings when he needed to be with his family. He hoped that no one ever criticized or passed judgment because they did not know what shoes someone was wearing as they tried to balance responsibilities. He thanked his family for their unwavering support.

Councilmember Riley said that the city had had amazing staff over the years and was grateful for them. The council tried to hire quality people who were good in their field. He said that he had watched the staff sacrifice, spending countless hours on behalf of the city. He felt that they were invested in the success of Vineyard. He said that it was great to work with people that you had confidence in. He wanted to recognize David Church, the city's attorney. He believed that without him the city would not exist. They would be a suburb or something else. He said that he did not know how they got so lucky to have Mr. Church as their attorney. He said that it was probably fun for Mr. Church when they were a small town. He felt that Mr. Church was an amazing individual and someone that they had to give credit to for all of his help.

Councilmember Riley pled to those who were listening and those who were present to be the solution for Vineyard. He said that it was easy to criticize past judgments and to make demeaning social media posts. He wanted encouraged everyone to stop for a moment and ask themselves if they were willing to come to the table, participate in the discussion, negotiate, and find solutions. He said that he was not born to negotiate and found it difficult, but this was what the whole process was about, trying to find solutions. Sometimes you had to give things up; it was a give and take. He felt that it was possible because he had seen amazing things happen through that process. He remembered a time when he and another councilmember visited with a landowner to discuss the land needed to build 575 South. They were at an impasse and desperately needed the road. He said that it was amazing to find a solution that was a win-win situation and walk away with a handshake. He said that, in his service, he had not met anyone who had made perfect decisions and as a council, they had not made perfect decisions. In hindsight, he said that he could see where they could have made better decisions. He felt that imperfect decisions were going to be made, and hopefully they would learn from the past and make better decisions in the future. He hoped that the council would not be afraid to make decisions.

Councilmember Riley also hoped that, as Vineyard got bigger, they would not lose their competitive advantage of being able to conduct their business efficiently and promptly. He felt

that economic development would come and hoped that processes would be in place so they could have a competitive advantage. He said to those who continued to serve and who would serve in the future, that there was an opportunity to be a watchman on the tower. He said that was how he tried to serve and that he had not received any personal gain. He was not focused on his power and influence; he simply tried to be a watchman. He felt that everyone could do something in that regard, particularly in the political field. He felt that the term known as “statesman” or “stateswoman” was the highest compliment they could receive because they had denied themselves personal gain and trying to be a watchman for the city of Vineyard. He said that it had been an amazing ride and as he went on walks around Vineyard, he was very grateful for those who moved here, for those who had contributed, for the vision of others, and for the quality of life here. He concluded by saying, “Thank you very much and God bless our great city of Vineyard.”

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that the bases for the radar speed signs on Holdaway Road had been installed and that the signs would be installed as soon as the cement cured.

6. DISCUSSION ITEMS

No items were submitted.

7. CONSENT ITEMS

- 7.1 Approval of the October 30, 2019 City Council Special Session Minutes
- 7.2 Approval of the November 13, 2019 City Council Meeting Minutes
- 7.3 Approval of the November 19, 2019 City Council Special Session Minutes
- 7.4 Approval of Ordinance 2019-09 and 2019-10 to add the preamble and effective dates
- 7.5 Approval of the Hampton C Final Plat

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS AS LISTED, 7.1 THROUGH 7.5. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

8. MAYOR’S APPOINTMENTS

No names were submitted.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Recreation, Arts, and Parks (RAP) Tax Enactment (ORD 2019-11)

City Manager Jacob McHargue will present an ordinance Imposing a Local Sales and Use Tax of One-Tenth (1/10) of One Percent (0.1%) to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities in Vineyard, Utah. Proposition 2 was presented to

the voters on the 2019 Vineyard General Election ballot and passed with 78.97 percent of the vote. The mayor and City Council will vote to adopt (or deny) this tax by ordinance.

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

Mr. McHargue explained that a local sales tax had been passed by the residents during the last election and now the city had to pass an ordinance to adopt the tax. He mentioned that they would begin collecting the tax in April 2020.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT THE RECREATION, ARTS, AND PARKS (RAP) TAX ORDINANCE 2019-11. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.2 DISCUSSION AND ACTION – Transient Room Tax ORD 2019-12

City Manager Jacob McHargue will present an ordinance to allow the city to collect Transient Room tax. The mayor and City Council will act to approve (or deny) this request by ordinance.

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

Mr. McHargue explained that the Utah State Code allowed cities to charge a tax on short-term rentals, which was collected mainly from hotels and other short-term rentals. He felt that they should have the tax in place now so that when hotels did come, the city would get the tax. Mayor Fullmer asked Mr. McHargue to explain how the tax would benefit the city. She mentioned that anyone who had short-term rentals was already paying the fee, but it was not being captured by the city.

Councilmember Earnest asked if they were not allowed to charge for short-term rentals. Councilmember Judd asked who collected the tax on short-term rentals. Mr. Church explained the tax was collected from a landlord and paid by those renting the room. It was identical to the 3 percent county tax. This would be an additional 1 percent. He explained that the tax could be used for anything in the General Fund. He said that licensed short-term rentals captured the tax and the state then remitted it to the city.

Councilmember Earnest asked if one percent was the right amount to charge. Mr. Church replied that the city was only allowed, by the legislature, to charge one percent.

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

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT THE TRANSIENT ROOM TAX, ORDINANCE 2019-12. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.3 DISCUSSION AND ACTION – Business License Municipal Code Amendments ORD 2019-13

Deputy Recorder Kelly Kloefer will present recommended amendments to the Business Licensing section of the Municipal Code to make changes in regards to fee schedules, license

effective dates, and other recommended changes. The mayor and City Council will act to approve (or deny) this request by ordinance.

Mayor Fullmer turned the time over to Deputy Recorder Kelly Kloepper.

Ms. Kloepper explained that they were proposing mostly minor changes to add clarification and clean up the code. She said that the big amendment proposed was to move from an annual calendar to a rotating calendar, meaning that whatever month a license was first issued, it would expire at the end of that same month a year later. She felt that this would help as more businesses came into the city. She added that it would also eliminate the need for the half annual fees for new businesses.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT THE BUSINESS LICENSING CODE TEXT AMENDMENTS, ORDINANCE 2019-13 AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.4 DISCUSSION AND ACTION – Neighborhood Parking Signage Policy Resolution 2019-14

Community Development Director Morgan Brim will present a resolution outlining a program that will allow a neighborhood near high density housing to submit an application to the city, for restrictions on on-street parking in their neighborhood. The mayor and City Council will take appropriate action.

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

Mr. Brim explained that this was in regards to past discussions and a request from the residents in The Leisure Villas subdivision for No Overnight Parking signs. He further explained that adopting the resolution would allow it to be an administrative process. He reviewed the proposed application process.

Councilmember Flake asked if the city manager would determine the language on the signs. Mr. McHargue replied that staff anticipated that most of the applications would be handled similarly and that he did not plan on picking and choosing the wording. He explained that he would mostly be reviewing the need and giving either approval or denial of the request.

Mayor Fullmer asked Mr. McHargue to explain why staff wanted it to be an administrative process. Mr. McHargue felt that the council was making a policy decision on whether they wanted to allow staff to do it and not have it go back to the council every time. He felt that this would speed up the process for residents. Councilmember Judd asked how they determined the neighborhoods listed in the resolution. Mr. Brim replied that they picked, primarily, neighborhoods that were adjacent or in close proximity to high density housing. Mr. Church explained that the neighborhood listed in the resolution were only examples. He further explained that the resolution limited the requests to distinct neighborhoods and not individual streets.

Sergeant Rockwell felt that the signs would match what the parking enforcement code already required. Councilmember Flake asked if Sergeant Rockwell was okay with the enforcement. Mr.

Church said that regulatory roadside signs were a standard sign, with some discretion on the content.

Mr. McHargue emphasized that the neighborhoods had to be adjacent to an attached housing development in the city. Councilmember Judd mentioned that the resolution stated that it was not limited to those developments. Mr. McHargue replied that they would have to prove that there was an issue, which would include providing photos and documentation. He added that residents of the subdivision would not be allowed to park on the street as well. Councilmember Judd asked if the sheriffs were set up to enforce it. Sergeant Rockwell replied yes, they were already set up to enforce it.

Mr. Church said that he recommended that the applications be taken care of at a staff level because the council only met every other week. This way the neighborhoods would not have to wait months for a resolution to their problem.

Mr. McHargue said that they designed the application process to require 75 percent of the residents in the neighborhood be in agreement to apply for it. Mr. Church clarified that nothing in the resolution would keep the city from putting appropriate parking signs without the consent of the neighborhood.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO ADOPT THE NEIGHBORHOOD PARKING SIGNAGE POLICY RESOLUTION 2019-14. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:09 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is January 8, 2020.

MINUTES APPROVED ON: January 8, 2020

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