MINUTES OF A VINEYARD
CITY COUNCIL MEETING
This meeting was held electronically, via Zoom,
due to the COVID-19 gathering restrictions
May 13, 2020 at 6:05 PM

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Present	**Absent**
Councilmember Earnest	Mayor Julie Fullmer
Councilmember Flake (joined at 6:18 PM)	
Councilmember Chris Judd	
Councilmember Welsh	

Staff Present: City Manager Jacob McHargue, Assistant Finance Director/Treasurer Mariah Hill, 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, Building Official George Reid, Water/Parks Manager Sullivan Love, City Recorder Pamela Spencer, Planning Commission Chair Anthony Jenkins

Others Speaking: Resident David Lauret; Pete Evans, Nate Hutchinson, and Bronson Tatton with Anderson Geneva; Joseph Browning with Hales Engineering; Eric Towner, Steve Hutchings, and Karla Mata with X Development

6:05 PM REGULAR SESSION

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT

City Recorder Pamela Spencer opened the meeting at 6:05 PM. She explained that Mayor Fullmer was unable to attend the meeting and called for a nomination to elect a mayor pro Tempore.

Nomination and Motion: COUNCILMEMBER WELSH NOMINATED CHRIS JUDD. COUNCILMEMBER EARNEST SECONDED THE NOMINATION. ROLL CALL WENT AS FOLLOWS: COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER FLAKE WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Ms. Spencer turned the time over to Mayor Pro Tempore Judd. Councilmember Earnest gave the invocation.

2. PUBLIC COMMENTS

Mayor Pro Tempore Judd called for public comments.

Resident David Lauret asked for an update on the shooting that happened in Vineyard the previous night. Mr. McHargue explained that it was a home invasion and someone shot one of the perpetrators. Sergeant Rockwell further explained that the incident happened at the Concord

apartments; it was a targeted attack, and one person died at the scene. The other assailants fled and were later apprehended. He added that the investigation was still on going.

Mr. Lauret asked how the bus stop listed on the consent agenda would be paid for. Mr. McHargue replied that the money could come out of the $60,000 budgeted for trail projects or other sources such as the Transportation Fund. He mentioned that some of the funds in the Trail Fund were to repair the trail in Gammon Park. He added that they had looked at options for the trail project but had not made any final decisions.

Mayor Pro Tempore Judd called for further comments. Hearing none, he closed the public comments session.

3. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Earnest reported that he was still keeping tabs on the numbers for COVD-19 but had no new information. He thought that they would be getting information on ways to expand economic options in Utah.

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

Planning Commission Chair Anthony Jenkins – Chair Jenkins reported that the Planning Commission had recommended approval for the two zoning amendment items listed on tonight's agenda. He added that more details for these sites would come with the site plan applications.

City Manager Jacob McHargue – Mr. McHargue reported that he was working with Republic Services to go back to a single pickup day for garbage and recycling. He said that the change may happen July 1 and may include a change in the day of the week for pickup. Mayor Pro Tempore Judd asked if Republic Services offered organic/green waste pickup. Mr. McHargue replied no, because the green waste was taken to the landfill with the rest of the garbage. Mr. McHargue reported that the governor was working with individual counties to make the transition from Orange to Yellow. Mayor Pro Tempore Judd asked if the recent hot spots in Utah County were outside of Vineyard. Mr. McHargue replied yes. Councilmember Earnest added that Utah County had not been greatly afflicted by the Coronavirus.

Councilmember Flake joined the meeting at 6:18 PM.

5. DISCUSSION

No items were submitted.

6. CONSENT ITEMS (Items do not require public comment or discussion and can all be approved by a single motion.)

6.1 Approval of the April 1, 2020 Joint City Council and Planning Commission Meeting
6.2 Approval of the April 8, 2020 City Council Meeting
6.3 Approval of Beach Cleanup Tractor and Equipment
6.4 Approval of a Bus Stop and Sidewalk Project on Mill Road

Mayor Pro Tempore Judd called for motion. Councilmember Welsh asked to pull item 6.4 for discussion.

Motion: COUNCILMEMBER WELSH MOVED TO APPROVE CONSENT ITEMS 6.1, 6.2, AND 6.3, AND REMOVE 6.4 FOR DISCUSSION. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

6.4 Approval of a Bus Stop and Sidewalk Project on Mill Road

Councilmember Welsh asked where the bus stop would be located. Mr. Overson explained that staff had some control over their locations, but Utah Transit Authority (UTA) had helped to identify four (4) locations on or near Mill Road. He said that there would be two (2) stops in front of the apartment complexes (one on each side of Mill Road near the apartments) and two near the Maverick (one on each side of the Geneva Road). He added that they would identify additional stops in the future. There was a discussion about where the stops would be located.

Councilmember Welsh clarified that the city would not be taking away funds from the Gammon Park trail. McHargue explained that they would be creating a natural trail for Gammon Park until the city determined how the remainder of the land would be developed. Mr. Wilson added that they had not come up with a plan for Gammon Park yet so it would be in the budget for another year. He suggested that if there was a concern with using the park funds for the bus stop and sidewalks on Mill Road, they could take them out of the Capital Improvement Projects Funds or the Transportation funds. Mr. McHargue suggested that they use the Transportation Funds because they were more restrictive and could be used for this type of project.

Mayor Pro Tempore Judd called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE 6.4 APPROVAL OF A BUS STOP AND SIDEWALK PROJECT ON MILL ROAD WITH THE ADJUSTMENT THAT THE FUNDING WILL COME FROM THE TRANSPORTATION FUND. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

7. MAYOR'S APPOINTMENTS

No names were submitted.

8. BUSINESS ITEMS

8.1 DISCUSSION AND ACTION – Approval of an Interlocal Agreement with Utah County for Library Services Resolution 2020-04

Utah County is requesting approval of the 2020-2021 interlocal agreement for Library Services. This agreement is to provide a bookmobile services to the City. The mayor and City Council will act to approve (or deny) this request by resolution.

Mayor Pro Tempore Judd turned the time over to City Manager Jacob McHargue.

Mr. McHargue explained that this was a renewal of the contract from last year. He mentioned that the cost went up slightly. He said that he had requested data on the use of the Bookmobile. There were 145 registered users. In 2019 people had checked out 5,800 books and for 2020 they were on track to have 6,400 books checked out before the pandemic shut down the services. He explained

that the cost for an Orem Library card reimbursement was almost three (3) times as much as the bookmobile card. Councilmember Welsh asked if they were coming up with a way to have the bookmobile come again in the yellow phase. Mr. McHargue replied that he would find out. Councilmember Earnest suggested that they look for something to accommodate technology. There was a discussion about using the online library services through Overdrive.

Mayor Pro Tempore Judd called for further questions or a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE AN INTERLOCAL AGREEMENT WITH UTAH COUNTY FOR LIBRARY SERVICES, RESOLUTION 2020-04. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.2 DISCUSSION AND ACTION – General Plan Land Use Map Amendment and Zoning Map Amendment (Former Geneva Nitrogen Property) Ordinance 2020-

(A public hearing and a motion to postpone this item was held at a joint Planning Commission and City Council meeting on April 1, 2020.)

Vineyard staff is requesting General Plan Use Map and Zoning Map amendments for the former Geneva Nitrogen Property. The land owner has requested to cancel the rezone at this time. As this was a city initiated request the mayor and City Council may act to adopt this amendment by ordinance or move to remove the item from consideration.

Mayor Pro Tempore Judd turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that this was a staff-initiated rezone and the sale of the property fell through so the current owner was asking that the council pull this item from consideration.

Councilmember Welsh asked about the Golf Club. Mr. Brim said that X Development was trying to get another golf facility type use for their property. There was a discussion about why the sale fell through.

Mayor Pro Tempore Judd called for further questions.

Motion: COUNCILMEMBER EARNEST MOVED TO WITHDRAW THE REZONING APPLICATION. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.3 PUBLIC HEARING – Zoning Map Amendment Ordinance 2020-03

The applicant is proposing to rezone the property located at 720 S Geneva Road (Parcel Number 18:028:0179) consisting of 1.36 acres, from Business Park (BP) District to the Regional Commercial (RC) district. The mayor and City Council will act to adopt (or deny) this request by ordinance.

Mayor Pro Tempore Judd turned the time over to City Planner Elizabeth Hart.

Ms. Hart explained that this was a rezone for 720 South Geneva Road from Business Park to Regional Commercial. She said that Planning Commission and staff were recommending approval. Councilmember Earnest asked what the plan was for the property. Ms. Hart replied that the proposed use would be a small car lot but it was not necessarily what would go there. Councilmember Welsh did not feel that the current use of the property was great and the new zone would help to sell the property. Councilmember Earnest agreed and said that the new zone would match the rest of the properties along that area.

Mayor Pro Tempore Judd called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 6:39 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd called for public comment. Hearing none, he called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSED THE PUBLIC HEARING AT 6:39 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE ZONING CODE TEXT AMENDMENT, ORDINANCE 2020-03. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.4 PUBLIC HEARING – Zoning Code Text Amendment Ordinance 2020-04

The applicant is proposing to amend Chapter 15.38.030(2)(c) regarding parking requirements for offices and medical offices/clinics. The request is to change the stall requirement from one (1) stall per 200 square feet of floor area to one (1) stall per 250 square feet of floor area. The mayor and City Council will act to adopt (or deny) this request by ordinance.

This item was moved to the end of the meeting.

8.5 DISCUSSION AND ACTION – Creation of a Bicycle Advisory Committee Resolution 2020-05

City Planner Elizabeth Hart will present a resolution to create a Bicycle Advisory Committee. The mayor and City Council will move to adopt (or deny) this request by resolution.

Mayor Pro Tempore Judd turned the time over to City Planner Elizabeth Hart.

Ms. Hart explained that this was a resolution to create a committee that would give guidance and input to elected officials and city staff. She further explained that there was a lot of bicycle

infrastructure in the city and this group would help the city put bicycling first in development projects. She explained how the committee would function. Mr. McHargue explained that this was a requirement to become a bike-friendly city. There was a discussion about the committee. Mayor Pro Tempore Judd asked who the committee would report to. Ms. Hart replied that the committee would report to staff and would also present annual reports to the council. The discussion continued. Councilmember Welsh asked if the committee would be exclusive to biking issues or would they discuss crossover vehicles such as e-bikes. Ms. Hart replied that for now it would be bicycles only, but saw it moving to a bicycle/pedestrian committee and then possibly to an active transportation committee. Councilmember Welsh stated that she was in favor of the alternative vehicles being included.

Mayor Pro Tempore Judd called for further questions.

Motion: COUNCILMEMBER EARNEST MOVED TO CREATE A BICYCLE ADVISORY COMMITTEE, RESOLUTION 2020-05. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.6 DISCUSSION AND ACTION – Second Amended Central Utah 911 Interlocal Agreement Resolution 2020-06

Central Utah 911 is requesting that the city review and approve the Second Amended Interlocal Agreement for Joint and Cooperative Action of Central Utah 911 and authorize the mayor to sign the agreement between Central Utah 911 and Vineyard. The mayor and City Council will take appropriate action.

Mayor Pro Tempore Judd turned the time over to City Manager Jacob McHargue.

Mr. McHargue explained that Central Utah 911 was emergency dispatch for Utah County and that they had added Juab County and Nephi City last year. This year they were adding Pleasant Grove and wording so that city councils did not have to approve an amended contract if a new city wanted to join. It would allow for the board members from each of the cities to make those approvals. He said that staff recommended approval and to allow the mayor to sign it. There was a discussion about the original procedures.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE RESOLUTION 2020-06 AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACT WITH CENTRAL UTAH 911. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.7 DISCUSSION AND ACTION – Central Utah Water Conservancy District (CUWCD) Water Supply Agreement FY2017A Amendment Resolution 2020-07

Staff and Central Utah Water Conservancy District are requesting an amendment to the water supply agreement FY2017A. The mayor and City Council will take appropriate action.

Mayor Pro Tempore Judd turned the time over to City Manager Jacob McHargue.

Mr. McHargue explained that in 2017 the city had entered into an agreement with Central Utah Water Conservancy District (CUCD), who provided all of the water in the city north of 400 North. He said that the city had purchased an initial 500-acre feet of water and agreed to take step increases. They had taken a 200-acre foot block of water and were scheduled to take another 200-acre foot block, but did not need it yet and this amendment would allow the city to push the next takedown out a year.

Mayor Pro Tempore Judd asked if staff thought they would need to take the water down next year. Mr. McHargue replied that he was not sure, but CUWCD would only extend the contract for one year.

Mayor Pro Tempore Judd called for further questions.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE RESOLUTION 2020-07 AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACT WITH CUWCD. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.8 PUBLIC HEARING – <u>Proposed Tentative Fiscal Year 2020-2021 Budget</u>

City Manager/Finance Director Jacob McHargue will present the proposed Tentative Fiscal Year 2020-2021 Budget. The mayor and City Council will then hear public comments. The mayor and City Council may act to adopt the proposed tentative budget. The final budget adoption is scheduled for June 24, 2020.

Mayor Pro Tempore Judd turned the time over to City Manager Jacob McHargue.

Mr. McHargue explained that this budget was unique because of the coronavirus restrictions. He said that a lot of the revenue sources for the city were up in the air right now so they made the best projections that they could and that it would be a conservative budget. He said that they would be getting new estimates on population counts which would affect a lot of the revenue accounts.

Mr. McHargue reviewed the proposed tentative budget. Highlights were:

General Fund

Revenue Projections

- Certified Tax Rate for Fiscal Year 2018-2019 .004015
- Census Population Estimate 8,000
- Fiscal Year 2019-2020 $6.4 million – decreased by 3 percent

Revenue Breakdown

Tax Revenue

- Property Tax $2,412,000 – decreased by 5 percent for any collection issues
- Sales Tax $1,262,000 – decreased by 25 percent
- Transportation Sales Tax $ 114,000 – decreased by 25 percent
- RAP Tax $ 66,000 – decreased by 25 percent of the original projected taxes collected
- Franchise Tax $ 428,000
- Building Permits $ 775,000 – lower than what was collected this year

Permit and Fee Revenues

- Development Fees — $ 275,000 – lower than what was collected this year
- Sanitation Fees — $ 317,500 – decreased by 5 percent
- Inspection Fees — $ 100,00 – lower than what was collected this year

Expenditures

- Administration — $ 578,100
- Contracted Services — $ 158,500
- Building Inspections — $ 661,500
- Public Safety — $2,794,700
- Public Works — $ 321,800
- Sanitation — $ 322,100
- Parks — $ 598,700
- Transfers — $1,026,400 – Mr. McHargue explained that this amount included just over $400,000 in transfers to the Transportation fund.

Mr. McHargue gave a breakdown of the projected funds. Highlights were:

Administration

- Budget — $ 578,100
  - Decreased overall — $ 241,700
  - Moved IT, Insurance, and Utility accounts to the Internal Service Fund to be shared by departments
  - Decreased travel and training budgets

Contracted Services

- Budget — $ 158,500
  - Increase overall — $ 52,500
- Legal Work — $ 24,000 – supplemental contract
- Financial — $ 25,000 – contract monthly financial work and audit prep

Building

- Budget — $ 661,500
  - Increased overall — $ 3,400 – increased contract labor to cover projected increase in inspections

Public Safety

- Budget — $2,794,700
  - Increase overall — $ 378,400
- Police — $1,449,600 – increased contract costs
- Fire — $1,269,900 – 445 additional ERU's
- Dispatch — $ 75,200 – increased based on calls for service and population

Public Works

- Budget — $ 321,800
  - Decreased overall — $ 148,000
- Professional and Technical Services
  - Mosquito Abatement contracted through county
  - Snow Removal brought in house last year so the equipment cost decreased

Sanitation

- Revenues — $ 317,300
- Expenses — $ 322,100

Parks and Recreation

- Budget $ 598,700
  - Increased overall $ 49,200
    increased park maintenance costs as additional parks come online; increased program costs as more children join recreation programs

Transfers

- Transfer to Capital Projects Fund $ 454,000
  - B&C Road Funds $ 340,000
  - Transportation Tax $ 114,000
- Transfer to Internal Services Fund $ 241,200

Internal Services Fund

- Expenditures $ 545,700
  - Increased overall $ 77,700
- Revenues $ 545,700
  - General Fund $ 251,600
  - Water Fund $ 62,200
  - Sewer Fund $ 83,000
  - Storm Water Fund $ 40,500
  - Transportation Fund $ 69,700
  - RDA $ 38,700

Water Fund

- Revenues $1,750,900
- Expenses $1,590,000
- Transfer to Internal Service Fund $ 62,200
  (Water Tank Costs Estimates – $17,000,000)

Sewer Fund

- Revenues $ 994,500
- Expenses $ 928,500
  - Personnel $ 250,800
  - TSSD $ 480,000
  - Transfer to Internal Service Fund $ 83,000

Transportation Fund

- Revenues $ 454,000
  - B&C Road Fund $ 340,000
  - Transportation Tax $ 114,000
- Expenses $ 347,700
  - HA5 Treatment $ 75,000
  - Crack Seal $ 30,000
  - Road Striping $ 60,000
  - Repairs and Projects $ 40,000
  - Personnel $ 73,000
  - Transfer to Internal Services Fund $ 69,700

Capital Projects

- Public Works Building $ 500,000

Mayor Pro Tempore Judd called for a motion to open the public hearing

Motion: COUNCILMEMBER WELSH MOVED TO OPEN THE PUBLIC HEARING AT 7:11 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd called for public comments.

Mr. Church mentioned that the law required that the city adopt the tentative budget in May and to publish it for the public input.

Mayor Pro Tempore Judd called for further comments. Hearing none, he called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:14 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd called for comments or questions from the council.

Councilmember Earnest stated that he was in support of measures to help maintain the mosquito abetment as long as possible.

Mayor Pro Tempore Judd asked if this budget allowed the city to put funds away for a future fire station. Mr. McHargue replied yes, and explained that they were transferring $320,000 from the General Fund to the Capital Projects. $250,000 would go towards a fire station.

There was a discussion about the projected sales tax numbers.

Mayor Pro Tempore Judd called for further questions.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE TENTATIVE FISCAL YEAR 2020-2021 BUDGET. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

8.4 PUBLIC HEARING – <u>Zoning Code Text Amendment Ordinance 2020-04</u>

The applicant is proposing to amend Chapter 15.38.030(2)(c) regarding parking requirements for offices and medical offices/clinics. The request is to change the stall requirement from one (1) stall per 200 square feet of floor area to one (1) stall per 250 square feet of floor area. The mayor and City Council will act to adopt (or deny) this request by ordinance.

Mayor Pro Tempore Judd turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that this zoning text amendment request was to accommodate a future office/medical building by reducing the required parking from one space per 200 square feet to one space per 250 square feet. He said that most office users would come with their own parking requirements to accommodate their customers and employees. He explained that typically, when parking issues did arise, they were within residential areas. He pointed out that residential and commercial parking issues were very different. He said that the applicant had done a study that they would be sharing. He added that Planning Commission and staff were recommending approval. He then turned the time over to Joseph Browning with Hales Engineering.

Mr. Browning explained that the study focused on two core things: to do a parking count at a similar medical site in American Fork and to compare the parking rates in Orem, Lehi, and Draper. He said that they took the counts for peak demand from each of the areas and bumped them up a bit. He mentioned that all three cities required one parking stall per 250 square feet of building. He felt that based on the comparisons, one parking space per 250 square feet should be adequate.

Mayor Pro Tempore Judd called for a motion to open the public hearing.

Motion: COUNCILMEMBER EARNEST MOVED TO OPEN THE PUBLIC HEARING AT 7:26 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd called for public comments.

Councilmember Earnest expressed concern with the commercial parking being adjacent to the high-density housing and felt that it was an issue. He said that he was comfortable voting for the amendment with the understanding that there would be enough space as time went on. He wanted the developer to know that they would be dealing with residents taking up parking stalls in the commercial areas.

Mr. Lauret reminded the council that when the Yard B was approved in 2018, the developer mentioned that there would be a shared parking agreement with other commercial developments. He felt that if they lowered the requirement, then there would be fewer parking stalls to share. Mr. Brim stated that it would be up to the developer how the parking was managed on the commercial sites. He said that part of the hope was that the entertainment uses would have high peaks at different times than a medical office building. He added that commercial uses would be allowed to tow if they put up signs and enforced it. He asked X Development to explain how they were going to manage the shared uses.

Eric Towner with X Development explained that they were developing projects in Lehi and Draper with mixed uses. He felt that there was an opportunity to maximize building square footage and have cross easements and cross parking. He added that they had negotiated cross easements and parking with the owners of the Megaplex. He felt that a good baseline was one stall for every 250 square feet of building. He said that tenants usually drive the parking need.

Mr. McHargue asked if this text amendment would be decreasing the requirements for all office buildings and commercial developments. Mr. Brim replied that the development would not really be getting a reduction in parking because of its was shared parking. In this instance every business would have to provide the minimum requirement by code. This site would see a decrease of about 30 parking spaces.

Mr. Browning pointed out that time of peak demand for office building use was offset by peak demands for residential uses. He said that based on national rates, medical buildings typically experienced 50 percent of their peak demand during morning and afternoon hours.

Mr. Towner explained that they did not have a parking arrangement with the residential development to the south. They had been enforcing parking by towing vehicles, so it should not affect their parking ratios.

Mayor Pro Tempore Judd called for further comments. Hearing none, he 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. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Judd asked about the other entertainment uses on the site and the shared parking. Mr. Towner replied that the parking would be sufficient for their needs with cross access for all parcels for the Yard A and B.

Councilmember Welsh asked if this would change the requirements for all office users. Mr. Brim replied yes. Councilmember Welsh asked if would it affect Downtown Vineyard. Mr. Brim replied no. He mentioned that The Forge had a shared parking reduction table.

Councilmember Earnest reiterated his earlier statement about being comfortable with the numbers presented and his concern with residential overflow parking.

Mayor Pro Tempore Judd asked if there would be any walkability and open space concerns. Mr. Brim replied that it would open up an additional retail pad on the corner of Mill Road and 400 North. Mayor Pro Tempore Judd clarified that it opened up more developable space and not open space. Mr. Brim felt that additional retail space on the corner would be a good thing. He added that they would have to provide parking for that development. Councilmember Welsh felt that this amendment would open extra retail in the whole city.

Mayor Pro Tempore Judd called for further questions, comments or if someone wanted to make a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE ORDINANCE 2020-04. COUNCILMEMBER FLAKE SECONDED THE MOTION.

Councilmember Welsh stated that she understood both sides of the argument and that she needed to vote in favor of the bigger issue. While she could see the rationalization for not reducing the parking, they needed choose the optimal use of the square footage that the city had.

ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9. CLOSED SESSION

No closed session was held.

10. ADJOURNMENT

Mayor Pro Tempore Judd called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:48 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE JUDD, COUNCILMEMBERS EARNEST, FLAKE, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is May 27, 2020.

MINUTES APPROVED ON: June 24, 2020

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