



MINUTES OF A VINEYARD CITY COUNCIL MEETING

This meeting was held electronically, via Zoom,
due to the COVID-19 gathering restrictions
January 13, 2021 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Cristy Welsh

Absent

Staff Present: City Manager Jacob McHargue, Public Work Director Don Overson, Assistant Public Works Director Chris Wilson, City Attorney Jayme Blakesley, Community Development Director Morgan Brim, City Planner Briam Amaya Perez, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Building Official George Reid, Water Manager Sullivan Love, City Recorder Pamela Spencer, Business Licensing Administrator Kelly Kloepper, and Planning Commissioner Anthony Jenkins

Others Speaking: Residents Jodi McCarthy, Tyler Baer, David Lauret, and Audrey Bills; Property Owner Stan Larimer; Lars Anderson with Project Engineering Consultants

6:01 PM REGULAR SESSION

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

Mayor Fullmer opened the meeting at 6:01 pm. Councilmember Welsh gave the invocation and led the Pledge of Allegiance. Mayor Fullmer then read the "Written Determination Letter."

2. ► PUBLIC COMMENTS

Mayor Fullmer called for public comments.

Resident Jodi McCarthy expressed her concern with things happening in her apartment complex. She mentioned that they were taking away some of her amenities. She also said that she had spoken to the fire inspector about some potential code violations. Mayor Fullmer mentioned that the city had a coalition with the HOAs to encourage better transparency. She asked Ms.

McCarthy to write down her specific concerns, and she would have a staff member get in touch with her. Ms. McCarthy said that her apartments were not part of an HOA. She added that she had spoken to a couple of neighbors about her concerns and was now being evicted.

Mayor Fullmer felt that this issue was complicated and needed more detail. She reiterated that Ms. McCarthy should meet with staff to determine what could be done or where she could go for help.

Stan Larimer explained that he owned property in Vineyard that he was renting out. He expressed concern with the parking restrictions on 300 West and Vineyard Loop Road. He said that he understood that this was because of the proximity to the downtown area. He felt that, because the downtown area was not built yet, it was too soon to restrict overnight parking. He also felt that people from the downtown area would not be parking on 300 West. He suggested that they limit parking during the day to 1 or 2 hours. He said that he wanted to understand better why the enforcement was in place. Mayor Fullmer explained that none of the collector roads in Vineyard allowed parking. She further explained that parking was not enforced during construction because it was hard to see the lines, making enforcement more complex. Now that construction was completed, they clarified the parking restrictions and were able to enforce the rules. She mentioned that they were looking at other parking options to see where they could come up with a solution.

Resident Tyler Baer, living in The Willows subdivision, felt that limiting overnight parking in the Lakefront area did not benefit anyone shopping in the town center. He also expressed concern with not having a guardrail to protect traffic from the steep incline down the Center Street overpass's side. He felt that if someone were to lose traction, they would go over the overpass and down the hill. Mayor Fullmer explained that the council and staff had also noticed the issue and were looking into a solution. There was a discussion about the overpass.

Mayor Fullmer reminded everyone that all conversations on the Zoom Chat become public.

3. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake reported that the legislative session would start next week, but because of COVID-19, the general public would not have access to it. So, emailing or calling your representatives and senators with your opinion on bills is very important this year. He said that House Bill 82 would make it so that cities could not restrict where in the city a single-family home could have an accessory dwelling unit (ADU). House Bill 98 would take the city out of housing inspections and limit the city's building design requirements. He suggested that the city speak out against these bills. He mentioned that there were already 153 bills in the House and 86 in the Senate.

Mayor Fullmer asked the council to highlight other bills that gave them concerns. She reemphasized that the council needed to contact their representatives and senators. She said that these bills were an attempt to make housing more affordable. She felt that Vineyard had already streamlined their housing processes to allow different housing types, such as ADUs. She said that this bill was taking the process to a level that would make cities unmanageable. She felt that this was different from allowing for affordable housing. She suggested that they add the contact information for the representatives and senators on social media so that the public could also voice their opinions.

Mr. Brim gave some examples of how a city's building design requirements could have a positive impact on the community. He said that The Preserve townhomes were built with very few design standards, giving the townhomes a monolithic look. The Lakefront @ Vineyard Town Center development was built using design standards, the upgrade to them was evidence. Mayor Fullmer said that the different design aspects shaped the city and attracted businesses to the community.

Councilmember Judd reported that there was a second round of the paycheck protection program for small businesses that were struggling with revenue losses due to the COVID-19 pandemic. Mayor Fullmer added that there was also help for residents through the Mountainland Association of Governments and Utah County for utility, rent, and mortgage assistance.

Councilmember Welsh reported that the people needed to understand that any improvements to the Center Street overpass would have to come from a different budget. She mentioned that there had been complaints about lighting on the overpass that came in before the lights were installed, and the lights were now in and should no longer be an issue. Mayor Fullmer suggested that if the semi-flexible barrier fit into the contingency funds, they might be able to install it under the same project. Mr. McHargue agreed but said that they did not know if there were any funds left over yet.

Mayor Fullmer asked about the installation of pedestrian fencing on the south side of the overpass. Mr. McHargue explained that staff had discussed the issue with the contractor, who was willing to address it. Mr. Wilson said that they were working on the fencing now.

Councilmember Earnest reported that if anyone had COVID-19 in the last 90 days, they did not need a vaccine. He said that on January 18, people who were 70 and older would be eligible for the vaccine. Mayor Fullmer added that they would post, on social media, when people can get the vaccines. Another 1.5 million vaccines were approved for distribution to people who could not go in person to get them.

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

4.1 City Manager Jacob McHargue

Mr. McHargue turned the time over to Public Works Director Don Overson.

Mr. Overson explained that the permitting process with Union Pacific Railroad and Utah Transit Authority had pushed the completion date of the overpass into the winter months, so they did everything they needed to do to get the overpass open, but it was not finished. He said that he knew that people were concerned with the curve and sliding off the edge, but the overpass met all of the National, Federal, and State standards for design. He said that if people were not driving the speed limit or were texting and driving, they could go off the road. He explained that the curve allowed them to get from Center Street to Mill Road. He said that they would be looking at a semi- or flexible barrier along the edges that people were worried about. He said that other things that needed to be done were parapet walls, fences, coating the steel, and an asphalt overlay in the spring. They would also be doing the landscaping in the spring. He said that they would not know how much money was left from the project until they get those things done. He explained that this project was completely funded and constructed by the city. He said that the groups that worked on it were fantastic to work with and did their best to keep the project on task.

Mayor Fullmer felt it would be critical to keep timelines posted so people could be a part of the process. Mr. Overson said that once they determined the type of barrier to be installed, they would post the timelines.

Mr. McHargue thanked the engineering group for their work on the project. He also thanked Mr. Overson for getting the project done on time and under budget. He mentioned that there were six other projects they were working on.

5. ► CONSENT ITEMS

5.1 Approval of the December 9, 2020 City Council Meeting Minutes

Mayor Fullmer called for a motion.

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

6. MAYOR'S APPOINTMENTS

No names were submitted.

7. DISCUSSION/PRESENTATIONS

No items were submitted.

8 BUSINESS ITEMS

8.1 ► DISCUSSION AND ACTION – Vineyard Grove Park Design Proposal

City Manager Jacob McHargue will present the Vineyard Grove Park Concept Design proposal. The mayor and City Council will take appropriate action.

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

Mr. McHargue explained that the hill at Vineyard Grove Park had not been constructed as planned and needed to be redesigned to make it more manageable. He said that he had met onsite with Lars Anderson with Project Engineering Consultants (PEC), Councilmember Welsh, Park Manager Preston Jensen, and Recreation Coordinator Brian Vawdrey to discuss the potential options. He said that what the council had before them was just the design cost from PEC.

Mayor Fullmer asked if this was only a design cost for the elements listed in the proposal. She also asked if now was the time to offer design concepts. Mr. McHargue replied that they had discussed adding slides to one side of the hill, terracing the hill, adding seating to watch the games, but they did not get into any specifics. Mr. Anderson explained that he had included in the proposal that they would be doing a preliminary design, then bring it to the council for comments and then bring back a final concept design. Mayor Fullmer asked if it would change the concept design costs if someone suggested significant changes to the proposal. Mr. Anderson replied that now would be a great time to bring up any different design proposals. He said that the things included in the current proposal were from the people he met on site.

Mayor Fullmer asked the council if they had any design elements. Councilmember Judd said that he was comfortable with the current proposal.

Mayor Fullmer read a public comment from resident David Lauret who requested that they keep the sledding hill. Mr. Anderson explained that they would be cutting the hill to a 30-degree slope, which would help with the hill's maintenance. Councilmember Welsh explained that they would be extending the hill slightly, making it longer. Councilmember Flake requested that it extend further to the north for seating. Mr. McHargue said that they discussed the having a platform at the hill's crown so that the attention was not focused on one spot on the top of the hill.

Mayor Fullmer asked about the treescape on the south side of the hill. Mr. Anderson replied that it would help buffer the homes and provide vertical structure to the hill.

Councilmember Judd asked if they wanted to allow sledding and biking on the hill and what would be implemented if the hill eroded. Councilmember Welsh replied that the city had talked about getting rid of the hill, but the community did not want it removed. It was a daily attraction to residents, so they had discussed how to enhance it and make it easier to maintain. She felt that they needed to use good design and planning to show people how to use the hill. There was a discussion about the design of the hill.

Councilmember Welsh thanked the Public Works Department for the amazing job they did cleaning up the hill today. She said she had read a book where it gave an example of a town in Florida that had repaired a large fountain in the center of the town and how the fountain's repair had increased the overall community satisfaction of the town. She said that the author of the book had pointed out the importance of "fixing the holes in the fabric of your community." Fixing the fountain had repaired the overall belief in the city. She felt that fixing the park and the hill would be a win for the city.

Motion: COUNCILMEMBER WELSH MOVED TO APPROVE THE PROPOSAL AND ALLOW PEC TO MOVE AHEAD WITH THE DESIGN OF THE HILL AT GROVE PARK. COUNCILMEMBER JUDD SECONDED THE MOTION.

Mayor Fullmer opened up for public comments. She read Mr. Lauret's comment stating that he felt it was one of the park's best features.

Resident Aubrey Bills asked why the city was paying to fix the hill. Mr. McHargue replied the park was a Redevelopment Agency (RDA) project. The developer initially paid the funding and was reimbursed by the RDA. He said that rather than have the developer fix it, the city was taking care of it so they could get it done. Mayor Fullmer added that the reason they built it the way they did was to make sure the developer added amenities for the residents who would be moving in. The developer had now turned the park over to the city, and the city would take over future park projects. Mr. McHargue explained that the city considered multiple ways they could have built the park but choose to have the developer include it in their development. Councilmember Welsh added that they were using grant money from Utah County to help fund the project.

Mayor Fullmer called for further public comments. Hearing none, she called for a vote from the council.

MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

8.2 ► DISCUSSION AND ACTION – Amended Interlocal Agreement with the Utah County Sheriff's Office (Resolution 2021-01)

City Manager Jacob McHargue will present an amended Interlocal Agreement with the Utah County Sheriff's Office. The mayor and City Council will act to adopt (or deny) this request by resolution.

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

Mr. McHargue explained that until now the county had made a new agreement annually. He said that Sergeant Rockwell had worked with officers who were assigned to other contract cities to come up with an agreement that would apply to all of the contract cities. This was a four-year contract with a four-year extension, so the contract could go until 2029. He explained that the past contracts required the city to pay for the depreciation on the vehicles and all costs associated with providing law enforcement services. He said that at the end of the depreciation schedules for computers, vehicles, etc., the county was selling them and keeping the money. This contract brings that money back to the city. He felt that this was a more equitable agreement than they had in the past. The one new financial component was a four percent annual increase. There were currently 10 sworn deputies assigned to the city: seven patrol deputies, one school resource officer, one detective, and one sergeant. He added that they also had a part-time administrative assistant. He mentioned that the Utah County Commission had already approved and signed the contract.

Councilmember Welsh asked about the four percent annual increase in the contract. Mr. McHargue replied that the four percent was a cost-of-living increase. Councilmember Welsh asked about adding a new deputy. Mr. McHargue explained that anytime they needed to add a new deputy, he would work with Sergeant Rockwell and make that request part of the new budget.

Councilmember Judd asked if the four percent was standard in all of the other cities' contracts. Mr. McHargue replied that it was standard. Sergeant Rockwell said that this was the same contract as Eagle Mountain's but did not apply to smaller cities and towns. He explained how the cost-of-living increase worked. Councilmember Judd asked where the funds would go if a deputy did not qualify for an increase. Sergeant Rockwell replied that the city's cost towards the contract would stay within their budget.

Mayor Fullmer called for further questions.

Councilmember Judd thanked the Sheriff's Office for all of the work they did for the city. The council agreed with his sentiments.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT 2021-01 AND APPROVE THE INTERLOCAL AGREEMENT WITH UTAH COUNTY. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

8.3 ► **DISCUSSION AND ACTION – Amending the Municipal Code Chapter 5.10 Intoxicants Ordinance 2021-01**

Business Licensing Administrator Kelly Kloepper will present recommended amendments to the intoxicants chapter of the business licensing code. The mayor and City Council will act to adopt (or deny) this request by ordinance.

Mayor Fullmer turned the time over to Business Licensing Administrator Kelly Kloepper.

Ms. Kloepper explained that Maverik had informed the city that the state was no longer mandating the hours that stores were allowed to sell beer for off-premises consumption, so the recorder's office decided to make the change in the municipal code. She said that they chose to have the hours go from 6:00 AM to 1:00 AM to reflect the hours the Maverik was currently selling beer. She said that they also added hours for the other license types. She mentioned that the other change was updating the retail section's language changing "Private Club" to "Bar."

Mayor Fullmer asked if setting the hours would make the code more stringent than the state's code. Ms. Kloepper replied that the state had left it up to the city to regulate the hours. She said that the Utah Department of Alcohol Beverage Control's (DABC) website only listed mandated hours for other license types and nothing for off-premises sales. Mayor Fullmer asked if the 6:00 AM to 1:00 AM was for all license types. Ms. Kloepper replied that it was just for the sale of beer for off-premises consumption. Mayor Fullmer asked if the city would have to amend the code if the Maverik decided to change their hours. Ms. Kloepper replied that it was up to the city to set the hours. There was a discussion about the hours allowed to sell beer. Mayor Fullmer asked what the protocol would be to amend the code if Maverik wanted the change the hours they sold beer. Councilmember Judd felt that having the Maverik be a part of this process and how they understood the industry, he was comfortable with how the code change was proposed. He asked if the Maverik had requested different hours. Ms. Kloepper replied that the Maverik was fine keeping the same hours. She mentioned that other cities had the cutoff at 1:00 am as well. The discussion continued.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT 2021-01 AMENDING THE MUNICIPAL CODE CHAPTER 5.10 INTOXICANTS, AS PRESENTED. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9. CLOSED SESSION

No closed session was held.

10. ► ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:23 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is January 27, 2021.

MINUTES APPROVED ON: January 27, 2021

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