



MINUTES OF A VINEYARD CITY COUNCIL MEETING

This meeting was held electronically, via Zoom,
due to the COVID-19 gathering restrictions
February 10, 2021 at 6:00 PM

Present

Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Cristy Welsh

Absent

Mayor Julie Fullmer
Councilmember John Earnest

Staff Present: City Manager Jacob McHargue, Assistant Finance Director/Treasurer Mariah Hill, Engineer/Public Works Director Don Overson, City Attorney Jayme Blakesley, Community Development Director Morgan Brim, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Building Official George Reid, Water Manager Sullivan Love, Deputy Recorder Kelly Kloepper, Planning Commission Chair Bryce Brady, and Planning Commissioner Anthony Jenkins

Others Speaking: Residents David Lauret, Alisha Sabin, Emily Vance, Melanie Nickle, Jammie Hawkins, Brett Hooper, and Rob Mooney

REGULAR SESSION

1. ► CALL TO ORDER/INVOCATION

Deputy Recorder Kelly Kloepper opened the meeting at 6:00 PM. Due to Mayor Fullmer's absence, she called for a nomination to appoint a mayor pro tempore.

Nomination: COUNCILMEMBER JUDD NOMINATED COUNCILMEMBER FLAKE AS MAYOR PRO TEMPORE. COUNCILMEMBER WELSH SECONDED THE NOMINATION. ROLL CALL WENT AS FOLLOWS: COUNCILMEMBERS FLAKE, JUDD, AND WELSH VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. THE NOMINATION WAS UNANIMOUS WITH ONE ABSENT.

Ms. Kloepper turned the time over to Mayor Pro Tempore Flake.

2. ► WRITTEN DETERMINATION/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Flake read the letter of determination for electronic meetings signed by Mayor Fullmer. Councilmember Welsh gave the invocation and Councilmember Judd led the Pledge of Allegiance.

3. ► PUBLIC COMMENTS

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

4. ► MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Welsh expressed concern about the current Senate Bill 61 Outdoor Advertising Amendments. She felt it was the state government overreaching. Mayor Pro Tempore Flake added that the bill in question had been referred to the committee and that the sponsor was working with the Utah League of Cities and Towns (ULCT).

5. ► STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1. City Manager Jacob McHargue

Mr. McHargue reported on House Bill 82 Single-Family Housing Modifications, which addressed Accessory Dwelling Units (ADUs). He explained that the bill would allow ADUs for every single-family home in every zone in the city. He reported that he and Councilmember Welsh spoke at the House committee hearing last week about how passage of this bill would affect Vineyard. ULCT was working with the bill sponsor to get minimum lot sizes, as well as additional restrictions for college towns, added to the bill.

City Attorney Jayme Blakesley commented that ULCT seemed resigned that this would pass and was now working on refinements of the bill, which related to college towns. Mr. Blakesley recommended that in their letter to the committee, that Vineyard be added to the list of university and college towns since the effects were felt in Vineyard.

Mr. McHargue discussed the upcoming Utah Lake Authority bill (later introduced as House Bill 364). He explained how it would create an entity that would have land use authority and which could also impact sales tax and property tax increments for one half mile around the lake. There was an extended discussion about the bill, to which the city was opposed.

Councilmember Welsh asked about House Bill 98 Local Government Building Regulation Amendments. Mr. Reid replied that it was looking like the bill was going to get gutted. Cities that were performing plan reviews and inspections in a timely manner would not be impacted much by the bill. Mr. McHargue commented that this bill seemed to be more for cities whose building departments were not meeting timelines.

6. ► CONSENT ITEMS

- 6.1. [Approval of the January 27, 2021 City Council Meeting Minutes](#)**
- 6.2. [Acceptance of the Fraud Risk Assessment Report](#)**
- 6.3. [Approval of Quit Claim Deed – Christiansen \(fence\)](#)**
- 6.4. [Approval of Quit Claim Deed and Easement Agreement – Parcel B Willows Plat D \(storm drain\)](#)**

Mayor Pro Tempore Flake called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE CONSENT ITEMS 6.1 THROUGH 6.4. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE AND COUNCILMEMBERS JUDD AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER EARNEST WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

7. MAYOR'S APPOINTMENTS

No names were submitted.

8. DISCUSSION/PRESENTATIONS

No items were submitted.

9. BUSINESS ITEMS

9.1. ► PUBLIC HEARING – Zoning Text Amendment (ZTA) for 15.34.100 Parking Requirements of Private Recreational Vehicles in Residential Zoning Districts (Ordinance 2021-02)

Community Development Director Morgan Brim will present zoning text amendments to Section 15.34.100 Parking Requirements of Private Recreational Vehicles in Residential Zoning Districts. The mayor and City Council may act to adopted (or deny) this request by ordinance.

Mr. Brim introduced the amendment. He explained that the current Zoning Code required that recreational vehicles and trailers parked at a home be screened from the front yard and street. The proposed amendment would remove the screening requirement. The Planning Commission voted 4-1 to recommend the amendment. He called for questions.

Councilmember Welsh said that the code was adopted in 2008 and she asked herself if there was a good reason why they passed it. A good code helped neighbors live together in harmony. She felt that it was likely why they passed this code. She expressed concern that without a fence requirement, recreational vehicles would end up in the driveway, and then in the street. With a fence, there was a defining barrier. She also felt that the screening requirement would deter crime. She understood the arguments for the code change, but those were her concerns.

Motion: MAYOR PRO TEMPORE FLAKE MOVED TO OPEN PUBLIC HEARING AT 6:34 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE AND COUNCILMEMBERS JUDD AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER EARNEST WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Resident David Lauret living on Holdaway Road observed that aesthetics affected property value. One of the reasons for screening and fencing was to maintain property values. Statistics showed that there was a reduction in crime associated with recreational vehicles that were fenced. He felt that the city had a commitment to honor the wishes of the Sleepy Ridge residents who had supported the original ordinance. He was opposed to the amendment.

Resident Alisha Sabin living in the Sleepy Ridge subdivision said that residents were seeking a change to the code because Sleepy Ridge was not living in harmony, and because aesthetics were subjective. She said that the crime statistics did not support the idea that removing the screening requirement would lead to an increase in crime. She emphasized that the code was not just for Sleepy Ridge, but it was for the whole city. She felt that the current code not was not a bad code, but it was strict, and the proposed amendment would bring Vineyard on par with most other cities. She added that it would strike a balance between aesthetics and the city not micromanaging personal property. She expressed that making this change was reasonable and the best compromise.

Resident Emily Vance living in the Sleepy Ridge subdivision agreed with Ms. Sabin's comments. She felt that Sleepy Ridge was being held to the current code, while Holdaway Road was not, and

this was not creating harmony. She observed that the code current could not be realistically applied to the whole city because of the potential contention between neighborhoods as well as the cost of enforcement. She said that the amendment was a reasonable adjustment and a good compromise.

Resident Melanie Nickle living in the Sleepy Ridge subdivision agreed with Ms. Sabin and Ms. Vance. She related that they had lived in Orem for 31 years and had a boat parked at the side of their house there, and they never had a problem with crime. A lot of her neighbors here had poured cement pads for their RVs and she felt it was unfair to require that they also put up a fence. She felt that the current code was creating contention.

Resident Jammie Hawkins living in the Sleepy Ridge subdivision related that she received a notice about her new trailer, informing her that was not in compliance. No one had talked to her about it before that, so it caused a lot of contention since she did not know if someone had reported it to the city. She added that because of the shape of her lot, a fence on the one side would look ridiculous, worse than having the trailer visible. She agreed with the others that this was a reasonable change.

Resident Brett Hooper living in the Sleepy Ridge subdivision was in favor of the change and agreed with the previous comments. He stated that most people wanted the change. As for aesthetics, he did not want a fence. For him, fenced neighborhoods felt closed in and closed off. He asserted that if someone had poured a cement pad for their RV, to keep it off the street, then they had fulfilled their responsibility.

Resident Rob Mooney living in the Sleepy Ridge subdivision explained that he had a trailer which he stored behind a fence, but that was his personal choice. He supported the change and believed it was a good compromise.

Mayor Pro Tempore Flake thanked everyone for their comments.

Mayor Pro Tempore Flake called for a motion to close the public hearing.

Motion: COUNCILMEMBER JUDD MOVED TO CLOSE THE PUBLIC HEARING AT 7:00 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE AND COUNCILMEMBERS JUDD AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER EARNEST WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Councilmember Judd remarked that an ordinance affected an entire city, not just one neighborhood. He appreciated when the city could make good changes to adjust to what was best at this time. He viewed this code change as a fair and good change based on research and the public comments.

Mayor Pro Tempore Flake stated that he could see both sides of the discussion. He thought that the recommendation made by the Planning Commission was reasonable.

Councilmember Welsh appreciated everyone coming to comment tonight and stated that it was helpful to hear the perspectives of Sleepy Ridge residents. She observed that this issue would eventually affect other neighborhoods as well. She thought that making the change now would save a lot of grief in the future and concluded by saying that although she was initially opposed, she was now in favor of the change.

Councilmember Judd clarified that just because the city changed the code, that did not supersede the HOAs. If someone had an HOA, the HOA requirements would still apply.

Motion: COUNCILMEMBER JUDD MOVED TO AMEND VINEYARD CITY CODE 15-34-100 AS PROPOSED IN ORDINANCE 2021-02. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE FLAKE AND COUNCILMEMBERS JUDD AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER EARNEST WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

9.2. ► DISCUSSION AND ACTION – Personnel Policy and Procedures Manual Amendment (Resolution 2021-03)

City Manager Jacob McHargue will present amendments to the Personnel Policy and Procedures Manual. The mayor and city council will act to adopt (or deny) this request by resolution.

Mr. McHargue explained that after a compliance audit, the Utah Retirement System requested that the city make a change to its Personnel Policy and Procedures Manual. The practice of the city was to not contribute towards the retirement of elected officials and part-time appointed officials. This amendment would codify this policy in the manual. The other change included in the amendment was to change the work week in the policy manual to match the work week in the accounting software, which was Sunday to Saturday.

Motion: COUNCILMEMBER WELSH MOVED TO APPROVE ITEM 9.2 PERSONNEL POLICY AND PROCEDURES MANUAL AMENDMENT INCLUDING THE CHANGE TO HAVE THE WORK WEEK BEGIN SUNDAY AT MIDNIGHT, AS STATED. COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE FLAKE AND COUNCILMEMBERS JUDD AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER EARNEST WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

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

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:10 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE AND COUNCILMEMBERS JUDD AND WELSH VOTED AYE. MAYOR FULLMER AND COUNCILMEMBER EARNEST WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

The next regularly scheduled meeting is February 24, 2021.

MINUTES APPROVED ON: March 24, 2021

CERTIFIED CORRECT BY: /s/Kelly Kloepfer
KELLY KLOEPFER, DEPUTY RECORDER