

MINUTES OF A WORK AND REGULAR SESSION
OF THE VINEYARD CITY COUNCIL MEETING
240 East Gammon Road, Vineyard, Utah
February 28, 2018 at 6:00 PM

Present

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

Absent

Councilmember Nate Riley

Staff Present: City Manager/Finance Director Jacob McHargue, Treasurer Mariah Hill, Public Works Director/Engineer Don Overson, Assistant City Engineer Chris Wilson, Sergeant Holden Rockwell with the Utah County Sheriff's Department, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Water/Parks Manager Sullivan Love, Building Official George Reid, City Recorder Pamela Spencer, Planning Commission Chair Cristy Welsh

Others Present: Planning Commission members Anthony Jenkins, Jeff Knighton, Bryce Brady, Stan Jenne, and Shan Sullivan, Heritage Commission Chair Tim Blackburn, residents David Lauret, Sherry Teschner, farmer Paul Opfow, Jeff Gochnour, John West, and Eric Gaoiran with Cottonwood Partners, Stewart Park with Anderson Geneva

6:00 PM WORK SESSION

Mayor Fullmer opened the meeting at 6:00 PM. Councilmember Flake gave the invocation.

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 reviewed the legislative bills that would affect municipalities. He said that at the Lake Commission meeting he attended, there was a report about a project to dredge the lake and add infrastructure, etc.

Councilmember Judd reported that he attended an Economic Summit held in Utah County. He gave a summary from the meeting. Highlights were:

- Utah still leads the nation in terms of job growth
- Unemployment rates are continuing to drop
- More people moving in than out
- Strong wage growth
- Rising interest rates
- Job market growth moderating
- Cannot keep up with housing

Councilmember Judd felt that including Vineyard in the Silicon Slopes demographic would be key to getting good employers here. Mr. Brim mentioned that with low unemployment the overall growth would start to taper off.

Mayor Fullmer asked council and staff to let her know if there were any boards that they wished to sit on. She reported that she had been able to network with the state legislators. She mentioned that she would be sitting on a panel for the Homeowners Association where she would be able to talk about Vineyard. She suggested that council and staff attend the breakfast meetings that were being held on Saturday mornings to network with legislators. She reported that new carpet had been installed in the café library at City Hall.

STAFF REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that HB 175 had passed out of the house and was going to the Senate. From a policy standpoint, the city needed to oppose it. He suggested that everyone reach out to the senators. There was a discussion about the bill.

Mr. McHargue reported that Republic Services would be changing the garbage collection days. He said that the garbage pickup day would change from Tuesday to Wednesday to help with the growth they were experiencing in the county. For now, they would leave recycling on Tuesday. He said that this would be effective April 1. He said that Reese with Republic Services wanted to remind everyone that the residents didn't have a garbage time but a garbage day.

Mr. McHargue mentioned that there would be an amendment for the 2017-2018 Fiscal Year Budget at the next council meeting. He reported that staff had met with Orem to discuss the future fire station location. He said that they were looking at the northeast side of the city.

Mr. McHargue reported that staff was working on contracts with Lindon for an easement for Rocky Mountain Power and a shared utility agreement.

Public Works Director/Engineer – Don Overson – Mr. Overson had no new items to report. Mayor Fullmer mentioned that residents had been asking about the city providing street sweepers. Mr. Overson explained that they required the developers to clean up the streets and now the city needed to take care of subdivisions that were built out. He said that they were looking at contracting with someone to come in and clean the streets. He explained that most of the complaints were coming from residents who were living in subdivisions that were still being built. He said that if he had accurate information then he could have staff take care of it as quickly as possible. There was a discussion about the Stormwater Pollution Prevention Plan (SWPPP).

Mayor Fullmer mentioned that they had had discussions about parking, snow removal and if streets were public or private. Mr. Overson said that he would color code the city map with the street designations and put it on the website.

Councilmember Judd asked if there had been any progress made in changing the right turn only lane on the Vineyard Connector at Geneva Road going east to a right turn and through lane. Mr. Overson explained that he had requested that UDOT look at it and UDOT felt that there was not enough traffic. He said that he had requested that UDOT look at it again.

Mayor Fullmer asked about the street lights on 400 and 460 North. Mr. Overson replied that the lights had been installed and that they were waiting for power connections. Mr. McHargue remarked that there had been a work order issued.

City Attorney – David Church – Mr. Church was excused.

Utah County Sheriff's Department – Sergeant Holden Rockwell – Sergeant Rockwell had no new items to report. Mayor Fullmer thanked the Sheriff's Department for the work they did on the day it snowed.

City Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

Building Official – George Reid – Mr. Reid reported on the development and building bills in the legislature. He reported that the basement finish was expected to be completed by the end of March.

Water/Sewer Operator Sullivan Love – Mr. Love gave a brief history of the Timpanogos Special Service District (TSSD). He explained that the TSSD manager was resigning after 10 years as the manager with 30 plus years of service.

Mr. Love mentioned that there was a company that had a renewable energy idea that would use green waste and turn it into energy with the potential to use wastewater as well.

Community Development Director – Morgan Brim and Planning Commission Chair Cristy Welsh – Ms. Welsh reported that the Planning Commission was working on an amendment to the drive-thru code. She stated that they would need outside help to work on the General Plan. Mr. McHargue explained that the cost for the outside help was part of the proposed budget adjustment.

Mr. Brim reported that he had attended a Mountainland Association of Governments (MAG) Roundtable Economic Development Luncheon. He said that they spoke with the Aviation State Board who was doing an analysis of every airport in the state. He noted that there were 47 airports in Utah. He said that they would be interviewing every city being served by these airports. He mentioned that airports were the gateway to economic development.

Mr. Brim reported that there was a 100,000 square foot office and warehouse facility being built in the northern area of Vineyard. He mentioned that he had been approached by an entertainment company who wanted to do a large venue such as a family fun center. He noted that Milltown had buildings C & D going through the site planning process. He said that O'Reilly's Auto Parts was in the process of preparing their site plan. He anticipated that Starbucks would be going through the development process soon.

He reported that he had met with Lindon in regards to a 15-acre parcel they were selling. He said that Knight West who was doing a development in the Vineyard industrial area would be purchasing about 10 acres for development and leaving 5 acres for a park and trailhead.

DISCUSSION ITEMS

No items were submitted.

MAYOR'S APPOINTMENTS

Planning Commission.....2 vacancies

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

Mr. Brim introduced the candidates who were being recommended to fill the vacant planning commission positions. He said that the recommendation was to promote commission members Bryce Brady and Jeff Knighton from the alternate position to regular position and appoint Stanley Jenne and Shan Sullivan as alternate members.

Residents Shan Sullivan living on 460 North, Stanley Jenne living in The Shores subdivision, Jeff Knighton living in the Concord Apartments and building a house in the Cascade subdivision, and Bryce Brady living in The Elms subdivision each introduced themselves.

Councilmember Judd noted that it was nice to see that the commission had representation from throughout the city.

CONSENT ITEMS

- a) Approval of the January 19, 2018 City Council Retreat Minutes
- b) Approval of the January 24, 2018 City Council Meeting Minutes
- c) Approval of Purchases

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – MAG Pre-disaster Hazard Mitigation Plan Resolution 2018-02

City Manager Jacob McHargue will present the Mountainland Association of Governments' Hazard Mitigation Plan. The mayor and City Council will take appropriate action.

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

Mr. McHargue explained that Mr. Overson had been involved with MAG in updating their Hazard Mitigation Plan for the county. He stated that staff was asking the council to accept this plan. He said that Mr. Overson had helped to evaluate their plan for Vineyard and the only concern was liquefaction.

Councilmember Judd asked if there was anything the city could do about liquefaction. Mr. Overson explained that the most important thing that could be done was how the homes were built. There was a discussion about liquefaction.

Councilmember Judd noted that there was a section on the north side of the lake, in Vineyard, that had a fire potential and asked how the city would mitigate it. Mr. McHargue replied that the

city had signed an agreement with the state and other organizations that allowed them to coordinate their efforts to clean up the area.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT THE MOUNTAINLAND PRE-DISASTER HAZARD MITIGATION PLAN RESOLUTION 2018-02. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.2 DISCUSSION AND ACTION – Naming of Public Lands and Facilities Policy and Application

Heritage Commission Chair Tim Blackburn is requesting approval of the Naming of Public Lands and Facilities Policy and Application. The mayor and City Council will take appropriate action.

Mayor Fullmer turned the time over to Heritage Commission Chair Tim Blackburn.

Mr. Blackburn gave a brief report on the Heritage Commission and the Heritage Foundation. He stated that they were able to receive donations from the community. He said that the second annual Heritage Day celebration was scheduled for May 12. Mayor Fullmer asked if the commission needed anything from the city. Mr. Blackburn responded that he had already been working with staff but they were open to donations. He said that the foundation would be distributing letters to solicit donations from the businesses in and surrounding Vineyard to help with the foundation.

Mr. Blackburn mentioned that they had been working on relocating the vintage farm equipment and thanked the staff for their help.

Mr. Blackburn reviewed the proposed Naming of Public Lands and Facilities Policy and Application. The policy would include a process that would have it vetted and reviewed by staff. It would then go to the Parks and Trails Committee for approval before being presented to the council for approval.

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

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE NAMING OF PUBLIC LANDS AND FACILITIES POLICY AND APPLICATION. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.3 DISCUSSION AND ACTION – Lease of 11-Acre Parcel

City Manager/Finance Director Jacob McHargue will present a proposal for the use of the 11- acre parcel west of Gammon Park. The mayor and City Council will take appropriate action.

Mr. McHargue asked for direction from the council on the leasing of the land. He gave a brief background on the use of the property and purchase of the 11-acre parcel from the Robins family. He explained that staff would like to keep the land in the greenbelt for the next couple of

years for tax purposes. He noted that there was a farmer who would potentially like to lease the land.

Mayor Fullmer asked how the contract would work if there was a future project that the city wanted to start sooner. Councilmember Judd and Mr. McHargue both agreed that the lease would be an annual contract.

Councilmember Judd asked if the city had purchased the water rights. Mr. Overson replied that they were in the process of proofing the water rights.

Motion: COUNCILMEMBER JUDD MOVED TO MOVE FORWARD WITH THE ANNUAL LEASE AGREEMENT ON THE 11-ACRE PARCEL THAT WAS JUST PURCHASED BY THE CITY. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.4 DISCUSSION AND ACTION – Municipal Code Amendment

City Recorder Pamela Spencer will present an ordinance to amend the Municipal Code to add parking restrictions during winter months. The mayor and City Council may act to approve (or deny) this request by ordinance.

Mayor Fullmer explained that this amendment was for snow removal. She asked if there were any questions.

Councilmember Judd felt that a survey should be done before they approved a snow removal ordinance. He also requested that signs be installed during the winter months. He suggested that the parking ordinance could affect not only snow removal but street sweeping as well.

Mayor Fullmer felt that they needed to consider that they did not have an ordinance for removal of vehicles when it snowed. She stated that they needed to approve something tonight and then they could amend it later.

Sergeant Rockwell said that without an ordinance the Sheriff's department could not tow vehicles unless they were parked illegally. He stated that they would knock on doors before they towed the cars.

Mayor Fullmer explained that after the last snow storm cars were getting stuck in the road because snow plows could not get through because cars were parked on the streets. She felt that there needed to be another option if the deputies knocked on doors and no one was home. Sergeant Rockwell noted that they could tow the cars if they were in a travel lane and if there was an emergency and the emergency vehicles could not get through.

Councilmember Flake asked if, as it was written now, there was no clause for towing.

Ms. Spencer read the recommended ordinance, which included a clause for removing vehicles. Mayor Fullmer explained that the reason for the alternate recommendation was to allow subdivisions that did not have adequate parking a way to still park on the street.

Resident Anthony Jenkins living in the LeCheminant subdivision noted that every family home had four parking stalls for off-street parking. Mayor Fullmer mentioned that they could adjust the ordinance to state "only when it snows." Councilmember Earnest liked the idea of a blanket

statement rather than an odd and even day and that they also include signage. He felt that something needed to be done.

Mayor Fullmer stated that she liked the simple solution of getting the cars off of the roads when it was snowing and towing cars if they were not moved and then get the survey out to see what would work for the communities.

Councilmember Earnest reiterated that they would be approving a code now and then adjust it later.

Ms. Spencer explained that they could separate out each subdivision in the code. Mr. Overson explained that the roads were narrow in most of the subdivisions. He felt that they should make it a rule across the board.

Resident Cristy Welsh living in the Parkside subdivision asked if it was possible to do a time-frame for parking restrictions. Councilmember Earnest replied that the recommended code already stated no parking from 12:00 AM to 8:00 AM.

Councilmember Flake asked what the recommended code was. Councilmember Earnest asked if they were going to approve the code as recommended with the ability to amend as needed. Ms. Spencer explained that they did not have to include the ability to amend the code in the motion but could just amend it at a later date. Councilmember Earnest stated that he liked the way the ordinance was written.

Councilmember Judd felt that council was weighing the concern of allowing people to park on the street or not. He felt that adopting the code as written would be prudent and then get the information out to the residents as soon as possible. He also felt that there needed to be some leeway until they were able to get the word out. Sergeant Rockwell commented that the deputies would always try to contact the owners of the vehicles first before towing.

Mr. McHargue stated that they would put it out on social media and the Everbridge notification system. He explained that the system would send out texts, phone calls, and emails, and depending on how the notification was set up, residents may need to respond that they had received the message. Residents could get several notifications until they responded. He mentioned that most people were signed up through their utility account. Mayor Fullmer noted that they had put out a notice to sign up for the service and could repost it. Mr. McHargue commented that when they first started the program they had about 1600 individuals signed up and now there were about 1900. He explained that anyone could sign up through the website. There was further discussion about the noticing system.

Mayor Fullmer suggested that the council start thinking about questions they would like included on the survey. She mentioned that staff already had a survey draft that council could review and add their comments to. She then called for a motion.

Motion: COUNCILMEMBER EARNEST MOVED TO ADOPT ORDINANCE 2018-01 AMENDING THE VINEYARD MUNICIPAL CODE TO INCLUDE A PROHIBITION ON CERTAIN WINTER TIME PARKING TO HELP FACILITATE SNOW REMOVAL WITHIN THE CITY AS WRITTEN. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

9.5 DISCUSSION AND ACTION – Center Street Overpass Permit

City Manager/Finance Director Jacob McHargue will present the steps necessary to obtain a permit for the Center Street Overpass to cross the Union Pacific Railroad tracks. The mayor and City Council will take appropriate action.

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

Mr. McHargue noted that this was the biggest project that they had undertaken in the last five years. He said that he had taken the information from the retreat and looked into possible funding sources. He believed that they had the funding figured out so that they could start the project this year. He explained that the permit, once acquired, would only last a year. There was a discussion about the permit process.

Mayor Fullmer stated the if the council had any questions or concerns they could wait to approve the permit until after the budget discussion.

Councilmember Judd asked if this was an approval to spend the \$60,000 or to apply for the permit. Mr. Overson replied that they had to sign a contract for a certain dollar amount just to start the review process and then they could apply for the permit. He said that it could take a couple of months to obtain the permit.

Mr. McHargue stated that the city had the air rights to an overpass but did not have the permit. Mr. Overson explained that they obtained the air rights at two different locations when they gave up the 400 North at-grade crossing. There was further discussion about the air rights.

Councilmember Judd stated that he felt comfortable about moving forward but wanted to understand the financing for the construction of the overpass. Mr. McHargue explained that they currently had about \$4 million in the General Fund for unbalanced capital projects. He said that they were estimating over \$2 million in impact fees. He said that the project was intended to be a joint project with the RDA and had received approval from the state to use their loan for this project. He said that they would pay the balance of the cost with RDA funds, which could be a loan and be paid back with impact fees. He noted that they could fund the entire project from the RDA and then the city could pay it back. There was further discussion about how to fund the project.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE SPENDING OF THE \$60,000 FOR THE APPLICATION TO UNION PACIFIC TO START THE PROJECT. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

CLOSED SESSION

No closed session was held.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:26 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is March 14, 2018.

MINUTES APPROVED ON: March 28, 2018

CERTIFIED CORRECT BY: 
PAMELA SPENCER, CITY RECORDER

