



**NOTICE OF A WORK AND REGULAR
VINEYARD CITY COUNCIL MEETING
February 27, 2019 at 6:00 PM**

Public Notice is hereby given that the Vineyard City Council will hold a work and regular session of the City Council meeting on Wednesday, February 27, 2019, at 6:00 pm in the Vineyard City Hall, 125 South Main, Vineyard, Utah. The agenda will consist of the following:

AGENDA

**Presiding Mayor Julie Fullmer
(Mayor Pro tem – Councilmember John Earnest – January - March)**

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

WORK SESSION

- 2. Economic Development for the City**
The mayor, City Council, and staff will discuss economic development for the city.

REGULAR SESSION

- 3. OPEN SESSION – Citizens’ Comments** *(15 minutes)*
“Open Session” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

4. MAYOR AND COUNCILMEMBERS’ REPORTS/DISCLOSURES/RECUSALS

- 5. STAFF, COMMISSION, AND COMMITTEE REPORTS** *(3 minutes each)*
- City Manager/Finance Director – Jacob McHargue
 - Public Works Director/Engineer – Don Overson
 - City Attorney – David Church
 - Utah County Sheriff’s Office – Sergeant Holden Rockwell
 - Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh
 - City Recorder – Pamela Spencer
 - Building Official – George Reid

- Water/Parks Manager Sullivan Love - Timpanogos Special Service District – Board Member
- Planning Technician – McKenna Marchant – Code Enforcement Quarterly report

6. DISCUSSION ITEMS

No items were submitted

7. CONSENT ITEMS

7.1 [Approval of the January 25, 2019 City Council Retreat Minutes](#)

7.2 [Approval of the February 13, 2019 City Council Meeting Minutes](#)

8. MAYOR’S APPOINTMENTS

No names were submitted.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING – [Zoning Text Amendment, Ordinance #2019-01: Regulations for Golf Driving Ranges](#)

Planning staff will present amendments to the Zoning Code allowing for golf safety netting height, standards for protection netting, requirements for site and building lighting and minimum buffering from residential uses. The City Council will take appropriate action. *(This item was continued from the February 13, 2019 City Council Meeting.)*

10. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of:

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property
- (e) strategy sessions to discuss the sale of real property

11. ADJOURNMENT

This meeting may be held electronically to allow a councilmember to participate by teleconference.

The next regularly scheduled meeting is March 13, 2019.

The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Hall, the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: February 26, 2019

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER CITY RECORDER

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Minutes of the Vineyard City Council Retreat
Mountainland Association of Governments
586 East 800 North, Orem, UT
January 25, 2019

Present

Absent

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

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/Engineer Don Overson, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff’s Office, Community Development Director Morgan Brim, Building Official George Reid, City Recorder Pamela Spencer, Planning Commission Chair Cristy Welsh

Others Present: Ken Anson and Nick Wilcox with Utah Transit Authority

8:00 AM RETREAT

The retreat began at 8:00 AM with a light breakfast. City Manager/Finance Director Jacob McHargue opened the budget discussion at 8:30 AM.

Review RDA budget and funding sources

Mr. McHargue reviewed the RDA projects and their funding sources. There was a discussion about the Housing Fund. Mr. Church mentioned that the housing fund was to be used for cleanup or housing.

Mr. Church suggested that they indicate which projects had board approval and which projects had signed contracts. There was a discussion about The Forge development. Mayor Fullmer mentioned that the RDA board had wanted to revisit the parking structure. The consensus was they restructure the agreement in a way to help motivate The Forge developers to move more quickly on their development. Mr. Church stated that in any document it should show what they were contracting for. Councilmember Judd asked how long an approval was valid without a signed contract. Mr. Church felt that it could be invalid any time the board wanted. The discussion continued. Mr. Church said that he wanted to see a paper record for future businesses showing an intent to agree, but not an agreement. The review of the budget and projects continued.

46 **RDA Project List**

47

48 ***Center Street Overpass***

- 49 • Current Estimate (two ways to build it)
- 50 • \$6,675,686 - \$8,282,108 with ORA (Oil Reclamation Area) material. There was a
- 51 discussion about the ORA material. The concern was if there would be enough of
- 52 the material to do both the Center Street Overpass and the Town Center roads.
- 53 • \$7,876,100 - \$9,662,584 with road base
- 54 • Current Funding
- 55 • \$3,440,620 Roadway Impact Fee Funds
- 56 • \$4,559,380 UDOT Loan Funds (Utah Department of Transportation)
- 57 • \$8,000,000 Total Current Funding
- 58 • Additional Funding Sources
- 59 • \$1,159,500 Roadway Impact Fee Funds Estimate for 2019. There was a
- 60 discussion about impact fees and the UDOT Loan Fund. Impact fees were to pay
- 61 for an at-grade crossing, an overpass, as well as the extension of 400 South to
- 62 Main Street.
- 63 • Project Status
- 64 • Project is currently ready to bid, waiting on an approval for Mechanically
- 65 stabilized Earth (MSE) Wall from UPRR (Union Pacific Railroad). Mr.
- 66 McHargue explained the delays. There was a discussion about the delays.
- 67 • Next Steps
- 68 • We are working with all of our contacts at UPRR to finalize design
- 69 • Once design is finalized, we can bid project
- 70 • Receive Air rights
- 71 • Start construction
- 72 • Ideas or Solutions?
- 73 There was a discussion about contacting someone about the delays. The consensus was
- 74 that Mr. Church write UPRR a letter.
- 75

76 ***Water Tank***

- 77 • Current Estimate
- 78 • \$8,000,000 - \$9,000,000
- 79 • Current Funding
- 80 • \$1,671,226 Water Impact Fee Funds
- 81 • \$2,407,258 RDA Housing Funds
- 82 • \$3,632,000 2017 Bond Funds
- 83 • \$7,710,484 Total Current Funding
- 84 • Additional Funding Sources
- 85 • \$303,521 Water Impact Fee Funds Estimate for 2019
- 86 • \$416,626 available from remainder of 2017 Bond
- 87 There was a discussion about Central Utah Water Conservancy District's (CUWCD)
- 88 participation and the required storage. There was also a discussion about paying for
- 89 the water tank. Mr. Overson mentioned that the tank could be built in cells so that it
- 90 could be built in phases.
- 91 • Project Status
- 92 • We have multiple tank site locations that we are pursuing

- 93 • Locations for the water tank – A site in Orem, Grove Park Wetlands, or
- 94 the Alpine School District property on 400 North
- 95 • We have contracted with Hansen, Allen & Luce, Inc. (HAL) to a complete study
- 96 to determine final tank size requirements. There was a discussion about elevations
- 97 and site selections. There was also a discussion about the contract with Orem
- 98 City.
- 99 • Next Steps
- 100 • Pick a site & work with CUWCD to evaluate who will construct
- 101 • Continue contract negotiations with Orem City
- 102 • Contract with company for wetlands delineation
- 103 • Finalize size and design based on HAL study (03-01-2019)
- 104 • Bid project
- 105 • Begin construction (must be complete by 04-01-2021)
- 106 • Ideas or Solutions?

108 ***Rail Spur Removal***

- 109 • Current Estimate
- 110 • \$15,500,000 – 16,500,000
- 111 • Current Funding
- 112 • \$12,000,000 (prioritizing this over the Fronrunner Station and Vineyard
- 113 Connector)
- 114 • Additional Funding Sources
- 115 • \$10,000,000 Co-applicant for Consolidated Rail Infrastructure Safety
- 116 Improvements (CRISI) Grant
- 117 • \$7,000,000 right-of-way that would be available to sell to UDOT
- 118 • Money left in the Fund Balance

119 There was a discussion about the funding and project priorities. It was suggested that

120 they look at doing a Special Improvement District. Council agreed that the removal of

121 the rail spur was their biggest priority. There was a discussion about projects outside

122 of Vineyard and the cleanup of Geneva Road. The discussion continued on funding

123 options. Mr. Church expressed concern about the amount that UDOT would be

124 willing to pay for the right-of-way. There was a discussion about the sale of the land

125 and annexations. Mr. McHargue suggested that they could wait until March until they

126 had more clarity on the issues. There was a discussion about the process UDOT and

127 MAG went through to put projects on their maps and how they fund them.

128 Councilmember Flake stated that the RDA board had agreed that they wanted more

129 aggressive action.

- 130 • Project Status
- 131 • Signed by UPRR, ready to be signed by City
- 132 • Currently working with legislature to evaluate funding options
- 133 • Next Steps
- 134 • Acquire remaining right-of-way (Martin Snow, Colneva)
- 135 • If grant is received, we sign the contract and coordinate bidding and construction
- 136 • Continue working with Mountainland Association of Governments (MAG) &
- 137 lobbyists to evaluate alternate funding sources

138
139
140

- 141 • Ideas or Solutions?
142 • Save \$1,500,000 up front by offering future increment or other incentive as
143 payment for right-of-way purchase
144 Mr. Overson suggested that they could negotiate with Martin Snow to purchase the
145 right-of-way and do the underground crossings to bury part of the canal so they could
146 start building once the contract was signed. There was further discussion about the
147 right-of-way. Mr. McHargue suggested that if the grant money did not come through,
148 Martin Snow was willing to entertain a long-term increment deal.
149

150 **Main Street Extension**

- 151 • Current Estimate
152 • \$3,900,000 - \$4,500,000
153 • Current Funding
154 • RDA Fund Balance
155 • Additional Funding Sources
156 • Reimbursement to developer through future increment
157 • Project Status
158 • Design is complete
159 • ORA has been placed on south piece
160 • Next Steps
161 • Finalize design
162 • Bid project
163 • Begin construction
164 • Ideas or Solutions?
165 • \$4,500,000 estimate completes the road, only completing the road to open the
166 train station and block 1 & 2 in the Town Center would cut the cost in half
167 There was a discussion about the Main Street extension and the Town Center area.
168

169 **Train Station**

- 170 • Current Estimate
171 • \$5,500,000 +
172 Mr. McHargue said that the issue was that they did not know who would own the
173 parking lot. There was a discussion about the options to build the parking lot and
174 who would own it. Mr. McHargue said that they needed to decide if they wanted
175 to get into the parking game. There was a discussion about other parking
176 structures in the state. There was also a discussion about shared parking
177 structures. Mr. McHargue mentioned that it was Vineyard who was pushing to get
178 the project done and that they did not have any leverage to get the other groups
179 interested. The discussion continued.
180 • Current Funding
181 • \$4,000,000 UDOT State Grant
182 • Additional Funding Sources
183 • RDA fund balance
184 • Project Status
185 • Currently in design process with UDOT & UTA
186 • Next Steps
187 • Finalize Design
188 • Work with legislature to solve regional double tracking issue

- 189 • Bid project
- 190 • Begin construction
- 191 • Ideas or Solutions?

192 **CAMU**

- 193 • Contract Amount \$18,085,914.00
- 194 • Current Spent \$6,244,651.00
- 195 • Remaining \$11,841,263.00
- 196 • Funding Source 2017 Bond
- 197 • Timeline 3 years
- 198 • Funding Timeline
 - 199 • \$2.2 million in 2020-2021
 - 200 • \$9.7 million after 2022

201

202 There was a discussion about the triggering of the tax increment on the remainder of the land in

203 the RDA. Mr. McHargue proposed that they determine the amount needed and pull the money

204 out of the 2017 Bond and pay it back with tax increment.

205

206 Councilmember Riley asked about progress on the project. Mr. McHargue explained that US

207 Steel was on-site doing the cleanup. He said that they gave him an 18-months to 3-year timeline

208 to complete the project.

209

210 **Westside Cleanup**

- 211 • Storm Drain – Project is complete and is in warranty
 - 212 • Project was completed under budget
- 213 • ORA Movement –in process 6-12-month completion
- 214 • Repository –in process 6-12-month completion

215

216 Mr. McHargue mentioned that the storm drain project was complete and came in under budget.

217 The ORA movement would take an additional 6 to 12 months to complete. Mr. Overson

218 expressed concern about where the promenade would be located. There was a discussion about

219 the location of the promenade. There was also a discussion about the Town Center and potential

220 zoning changes.

221

222 Councilmember Judd commented that it was helpful to have this formation when looking at

223 future funding requests. Mr. Brim suggested that they hold an RDA work session whenever

224 applications came in. Mr. McHargue said that staff would be informing the boardmembers when

225 applications came in and about discussions/meetings that were going on. Councilmember Judd

226 suggested that they have a liaison from the RDA board to keep the board up to date on the

227 discussions.

228

229 A break was taken at 10:11 AM. The meeting resumed at 10:46 AM.

230

231 Mr. McHargue introduced the recommended project list for the city.

232

233 **City Project List**

- 234 • Public Works Building
- 235 • Fire Station
- 236 • Code Enforcement

- 237 • Public Safety
- 238 • Recreation / Events
- 239 • Gammon Park / 11-Acre Park
- 240 • Everbridge
- 241 • Lake Restoration
- 242 • Economic Development
- 243 • UTA Vanpool

244



245

246 ***UTA Vanpool***

247 Mr. McHargue explained that the city had been looking at alternate transportation for the
 248 residents. He stated that having a bus would not be economical for the city at this time. He said
 249 that they had discussed a vanpool option. He explained that they had looked at ways to fund the
 250 van and would be working with each of the Homeowners Associations (HOA) complexes. He
 251 introduced Ken Anson, a Senior Service Planner, and Nick Wilcox, an Operations Planner, both
 252 with Utah Transit Authority (UTA).

253

254 Mr. Anson reviewed the routing using a single van to start with. There was a discussion about
 255 the routes and timelines.

256

257 Mr. Anson recommended that the city do a survey to see where the needs would be. Mr.
 258 McHargue also wanted to contact the HOAs to see if it would help solve their parking problems.
 259 There was a discussion about ridership and the costs. The vans would run Monday through
 260 Friday from about 6:00 AM until about 7:00 PM. Mr. Anson mentioned that the times were
 261 flexible. Mr. Wilcox said that the trips were expandable and the city would have to pay the
 262 difference in the mileage. Councilmember Judd asked if there was a percentage of ridership that
 263 they needed to hit to make it worthwhile. Mr. Anson replied that it would be up to the city. Mr.
 264 Brim asked who paid for the use of the van. Mr. Anson replied that it was up to the city.
 265 Councilmember Judd suggested that they charge \$4.80 a day per person to cover the costs.
 266 Councilmember Judd asked if they could have access to successful programs. Mr. Anson said
 267 that he would look into it. Mr. Wilcox mentioned that as soon as they had the demand, they
 268 could look at bus service.

269

270 Councilmember Riley asked what would happen if the HOAs were not willing to participate. Mr.
 271 McHargue replied that the city would have to look at their budget. Councilmember Riley felt that
 272 the city should not be solving the HOA's parking problems. There was a discussion about the
 273 van route, funding the van, and servicing the city. Mr. Wilcox suggested that the survey be very
 274 detailed.

275

276 ***Capital projects***

- 277 • Beginning balance \$3,046,471
- 278 • 2018 budget funding \$436,100
- 279 • 2018 use of funds -\$1,824,576 – purchase of Lindon property
- 280 • Current balance \$1,657,995

281

282 Mr. McHargue explained that the money to fund the capital projects would be coming from
 283 either the General Fund, City Funds, or the fund balance in the Capital Projects Fund.

284

285 **Public Works Building**

- 286 • Current Estimate
- 287 • \$370,000 - \$410,000
- 288 • \$60,000 Access road and utilities
- 289 • \$250,000 Steel building with heat for equipment storage
- 290 • \$80,000 Salt storage building (could do shell for half)
- 291 • \$20,000 Drying beds
- 292 • Potential Funding Sources
- 293 • Capital Projects Fund
- 294 • Utility Funds
- 295 • Proceeds from land sale \$500,000 to \$750,000

296 Mr. McHargue reviewed the suggested configuration of the Public Works Lot. He explained that
297 it would be a phased plan. He said that the current estimate for the plan was \$370,000 to
298 \$410,000 depending on the size of the salt storage.

299
300 **Fire Station**

- 301 • Contract with Orem
- 302 • Construct fire station within 3 years from 5,500 ERU
- 303 • Currently 4,522 ERU
- 304 • 1-2-year timeline
- 305 • Station location
- 306 • 1200 N and Mill Road
- 307 • Response times
- 308 • Location works regardless of contract decision
- 309 • Discuss options
- 310 • Direction

311 Mr. McHargue explained that the contract with Orem was based on the number of Equivalent
312 Residential Unit (ERU) costs. He said that last year the city paid Orem Fire \$850,000 and
313 expected to pay them about \$1.2 million this year. He explained that there was an exit clause
314 that would go into effect once they build the fire station, housed with Orem Fire personnel, so
315 they needed to decide before then if they were going to continue to contract with Orem or have
316 their own fire department. There was a discussion about the contract. Mr. McHargue said that
317 they could still choose the location for the station now. He stated that they had originally
318 chosen 1200 N and Mill Road as the best location for a fire station. He mentioned that there
319 might be an option to co-locate with the Utah Fire and Rescue Academy (UFRA) at the Utah
320 Valley University's Vineyard location (north of 800 North). There was a discussion about the
321 UFRA option. Mr. McHargue felt that they would need to make this decision within five
322 years. The discussion continued.

323

324 A break was taken at 11:40 AM. The meeting resumed at 12:09 PM.

325

326 **Code Enforcement**


- 327 • Currently part time (10 hours per week) on a complaint basis
- 328 • Do we want to take a more active role?
- 329 • Possible solutions
- 330 • Creating block captains (subdivisions)

- 331 • Hiring a dedicated part-time code enforcement officer
- 332 • Other

333 Mr. McHargue explained what the current process was for code enforcement. He said that the
334 code enforcement officer had already handled 230 citizen requests, of which 150 of them were
335 backlogged. Mr. Brim mentioned that 99 percent of the complaints were handled with voluntary
336 compliance. Mr. McHargue explained that when a complaint was received, code enforcement
337 would drive the rest of the subdivision to see if there were any others with the same violation.
338 Mr. Brim added that she drove around the city twice a week looking for public safety issues. Mr.
339 Overson asked for a summary of the reports. Mr. Brim replied that code enforcement would be
340 doing a quarterly report at a City Council meeting.

341
342 Mr. McHargue explained that staff had discussed possible solutions such as creating block
343 captains in the subdivisions or hiring a dedicated part-time code enforcement officer.
344 Mayor Fullmer explained that a block captain would be similar to the Neighborhood Watch
345 Program and that there would be an education process. There was a discussion about the code
346 enforcement process. Sergeant Rockwell explained the Neighborhood Watch program. The
347 discussion continued. Most people did not know they were violating the code.

348
349 Sergeant Rockwell mentioned that there would be a Town Hall meeting in March about public
350 safety and a possible Neighborhood Watch program.

351
352 Councilmember Judd said that he liked the formal complaint system so that people were not
353 calling in frivolous complaints.  Mayor Fullmer explained that people were calling elected
354 officials and not formally submitting complaints because they were a tightknit community. She
355 said that people could submit a complaint without having to submit their name. Code
356 enforcement would then review the complaint to determine if it was an issue. Councilmember
357 Judd felt that the complaints should be prioritized according to the complainant putting their
358 name on it. Mr. Brim explained that if someone called in with a complaint, they would
359 recommend that they talk with their neighbor first. He said that if it was a safety issue then it
360 would be a priority. The discussion continued.

361
362 Mr. Brim mentioned that they were also working on commercial noncompliance, especially with
363 signage. He said that staff was going to send out an educational packet to the businesses and
364 management companies and give them a month to comply. Councilmember Judd felt that they
365 should do an in-person visit to explain compliance. Councilmember Riley asked if the developers
366 had to sign anything when they came in to get their building permits. Mr. Brim replied that they
367 were required to get a sign permit. He said that one issue was real estate signage. There was a
368 discussion about the sign ordinance process. Councilmember Riley suggested that they have a
369 document that the developers sign about signage regulations during the building permit process.
370 The discussion continued. The consensus was adding the requirements to the check sheet on the
371 business license application, building permits, and reaching out to the apartments. It was decided

372 that they send out educational materials to help the developments meet the code. Mr. Brim
373 mentioned that the code allowed for some temporary signage.

374

375  **Public Safety**

- 376 • Goal is to have a larger public safety presence in schools
- 377 • Currently we have an officer who makes an appearance at each school once per day
- 378 • Possible solution
 - 379 • 9 Reserves specifically for this program
 - 380 • Hired, Trained, & Equipped by Utah County Sheriff's Office (UCSO)
 - 381 • \$20-28/hour
 - 382 • Approx. \$1,500 to equip each
 - 383 • Approx. \$11,100 for 3 radios
 - 384 • 1st Year Estimate \$129,432
 - 385 • Ongoing \$104,832

386 Mr. McHargue explained that Councilmember Earnest wanted to have a larger public safety
387 presence in the schools. He mentioned that the UCSO currently had an officer who went to each
388 school once a day. Sergeant Rockwell explained that they were called safe walks, where a deputy
389 walks the halls, eats lunch with the children, or would be there when the children get to school,
390 etc. He said that the goal for the deputies on the day shift was to be in the school about 15 to 30
391 minutes each school day. There was a discussion about the procedure. Sergeant Rockwell added
392 that he had assigned one deputy to each school to be a liaison and to work with administration.
393 He mentioned that Deputy Stilson ran the NOVA program at Vineyard Elementary.

394

395 Councilmember Earnest felt that the city was responsible for the students' safety. He wanted
396 something that was as foolproof as possible to make the students as safe as possible. He said that
397 there were software programs that would complement the deputies' routines. He said that he was
398 hoping to create a deterrent to keep bad people away. He wanted someone trained with a weapon
399 who could fight back. He said that he would be attending a training on new software to help
400 schools be safer. Mayor Fullmer asked if the Alpine School District or the charter schools
401 covered some type of security in their budgets. Sergeant Rockwell replied that Alpine School
402 District would only fund a resource officer for high schools and occasionally they would
403 partially fund a junior high. He added that charter schools were separate. He said the Sheriff's
404 Office preferred that, if there were to be an armed person at each school, they be trained and
405 equipped by the Sheriff's Office.

406

407 Councilmember Earnest stated that he had been researching this issue for a while and felt that the
408 numbers presented were great numbers. He also felt that they needed to involve the charter
409 schools. He said that he did not want to get caught up in red tape with the schools, etc. He felt
410 that they could use this on social media as a standard.

411

412 Councilmember Judd asked if the person hired would be an actual officer. Sergeant Rockwell
413 replied that they would have to be law enforcement certified. He explained that those hired
414 would be specific to the program. There was a discussion about having a police presence in the
415 schools. They could start with a school resource officer who would split their time among all of
416 the schools in Vineyard. Sergeant Rockwell mentioned that the Utah County Sheriff was willing
417 to start a safety program. The discussion continued. Councilmember Earnest mentioned that
418 there was new software coming out that would help out with investigations. Sergeant Rockwell

419 stated that regardless of the measures they take, they were never going to stop all bad guys, but
420 they could take as many precautions as they could to make kids safe. He stated that he had taught
421 his deputies what to look for. He said that the program he was talking about would get someone
422 in the schools. He said that a full-time school resource officer would split their time between
423 schools at random times and often. He added that they would run trainings and the NOVA
424 programs in the schools. He said that the resource officer would be a benefit to the city as a
425 whole and supplement the city when school was out.

426

427 ***Recreation & Events***

- 428 • Recreation programs
 - 429 • Self-sufficient programs, growth will be slow and methodical without subsidy
 - 430 • Do you want us to add more of a focus on recreation?
- 431 • Ideas or Solutions?
 - 432 • Create a Municipal RAP tax for recreation, arts, and parks
 - 433 • .1% sales tax and would have brought in around \$75,000 over the last 12
 - 434 months.
 - 435 • Local municipalities with similar tax include American Fork, Pleasant
 - 436 Grove, Provo, Orem, Lindon, Cedar Hills, Payson

437

438 Ms. Welsh requested that they not hold the recreation events on Wednesday nights because of
439 public meetings and religious activities on the same night. There was a discussion about other
440 nights to hold the events. Mayor Fullmer felt that it was important to create an opportunity for
441 people to attend public meetings. Mr. McHargue suggested that they could see if anyone was
442 willing to change days. The discussion continued.

443

- 444 • Recreation Projects
 - 445 • Trail connections
 - 446 • Vineyard Beach Improvement (Grant Application)

447

448 Mr. McHargue said that there were a couple of recreation projects that had been presented. One
449 on was making sure that they had all of the trail connections needed. He said that there were
450 grants they could apply for and use matching funds.

451

452 Councilmember Riley asked if there was anything happening this year with improvements to the
453 trail along the railroad corridor. Mr. McHargue replied that there was nothing planned for this
454 year. Councilmember Riley asked about the maintenance of the trail. Mr. Overson replied that
455 they did not have the manpower nor the funds. He said that they were having a hard time keeping
456 up with trash in the parks. He added that most of the trails were not completed. He mentioned
457 that staff had been working with Flagship to get the trail along the LeCheminant subdivision
458 cleaned up. He also mentioned that a lot of the trails were still under Flagship ownership and
459 they had not completed them. Mr. McHargue mentioned that they would be adding additional
460 Public Works positions in the next year's budget. There was a discussion about the trails and
461 timelines for the developers. Mr. Overson mentioned that they were now making the developers
462 bond for the trails. The council agreed that the city should not reimburse the developer for
463 infrastructure until the improvements had been made and approved by the City Council.

464 Councilmember Judd said the trails needed to tie into other trails. Councilmember Riley wanted
465 to empower Mr. Overson to send the developers to the City Council to defend their stance. The
466 discussion continued.

467 Mr. McHargue said that they had a grant application due in a couple of weeks for an
468 improvement of Vineyard Beach to allow for non-motorized boat beach access. He stated this
469 would require \$100,000 in matching funds.

470

471 ***City Events***

472 • Events

- 473 • Are you pleased with the events the city is involved in?
- 474 • How could we improve?
- 475 • Would you like us to allocate more or less money to events?

476

477 Councilmember Judd stated that he liked the number of events the city was currently holding. He
478 felt that they should make the summer event the big event. There was a discussion about the
479 events. Mr. Brim mentioned that staff had talked about working with Saratoga Springs for
480 onetime events, such as a kayak race across the lake. Councilmember Flake expressed concern
481 about staffing. Mr. McHargue replied that there was a committee for the core events they had.
482 Ms. Nelson was responsible for coordinating the events, Ms. Rimal was responsible for social
483 media, and Mr. Vawdrey was responsible from the recreation position. He added that they also
484 had volunteers who helped. He felt that the summer celebration was going to get bigger and they
485 needed to identify how they wanted to handle it in the future. He also felt that the other events
486 were scalable (keep them small). There was a discussion about the summer celebration.

487

488 Councilmember Earnest suggested that they needed to put in a wave system so they could boogie
489 board and surf.

490

491 Mr. McHargue stated that one option available to the city was a RAP (Recreation, Arts, and
492 Parks) tax. He said that it would change the sales tax rate and would have to be a ballot issue. He
493 said that residents were already paying that tax that was going to surrounding communities and
494 they could bring it to Vineyard. He estimated that the tax would bring in \$75,000 a year to start
495 with.

496

497 Mr. Overson suggested that if they increased the transportation fee, they could maintain the
498 trails.

499

500 There was a discussion about the RAP tax. Councilmember Riley asked if the city was
501 exhausting the amount of money set aside for the library/recreation center reimbursement to the
502 residents. Mr. McHargue replied that they had come close but had never maxed out.

503

504 ***Gammon Park / 11- Acre park.***

- 505 • What do you want us to focus on with the 11 acre Park and current facilities at Gammon
506 Park?
- 507 • Buildings?
- 508 • Current Trail?
- 509 • Trees?

510

511 Mr. McHargue stated that one of the projects they had held off on was fixing the trail in
512 Gammon Park. He explained that the city had been approached by a developer who was
513 interested in putting a grocery store on the Gammon Park property. He said that staff had looked
514 at putting them on the lot to the south of Franklin Discovery Academy. There was concern about

515 putting more traffic on Holdaway Road. He said that there had been enough of a push from the
516 public for a grocery store and felt that it should be discussed. There was a discussion about
517 placement of the store. Mr. Brim said that the benefit of using the park location was that they
518 would get a grocery store sooner. Councilmember Riley felt that the pressure of having a grocery
519 store there would not override giving up property that they would never get back. He stated that
520 he would rather come up with another way to help them in another location. The discussion
521 continued.

522

523 Councilmember Judd suggested that they tear out the trails, buildings, and trees in Gammon
524 Park. Ms. Welsh suggested that they master plan Gammon Park together with the 11-acre
525 property. Mr. Brim mentioned that there was an Urban Design graduate student who wanted to
526 master plan all of the open space between City Hall and the old Town Hall, and the wetlands
527 going north and the 18-acre park for his graduate project. Councilmember Riley felt that if they
528 could present a comprehensive plan with the costs and a way to fund it by increasing the sales
529 tax, that the residents would be okay with it.

530

531 ***Economic development***

532 What do we want to be known for, what types of uses do you want us to focus on?

- 533 • Professional Office/Technology
- 534 • Medical Services
- 535 • Grocery/Home Improvement/Hardware
- 536 • Entertainment (Large Uses, could include sports facilities and special uses like Big Shots)
- 537 • Manufacturing Facilities
- 538 • Hotel and Accommodation Services
- 539 • Lake Front Development

540

541 Mr. McHargue asked the council to think about what they wanted the council and staff to be
542 focusing on. He said that this would be for a future discussion. Councilmember Riley felt that
543 they had to work with UVU. There was a discussion about meeting with UVU.

544

545 Mr. McHargue mentioned that there were other items to discuss. Council agreed to hold
546 quarterly planning meetings from 8:00 AM to noon.

547

548 The meeting adjourned at 1:45 PM.

549

550 The next regularly scheduled meeting is February 13, 2019.

551

552

553 MINUTES APPROVED ON: _____

554

555 CERTIFIED CORRECT BY: /s/ Pamela Spencer

556 PAMELA SPENCER, CITY RECORDER

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**MINUTES OF A REGULAR
VINEYARD CITY COUNCIL MEETING**
City Hall, 125 South Main Street, Vineyard, Utah
February 13, 2019 at 6:00 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, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, Planning Commission Chair Cristy Welsh, City Planner Elizabeth Hart, City Recorder Pamela Spencer, Water/Parks Manager Sullivan Love.

Others Present: Planning Commissioners Tim Blackburn, Bryce Brady, Anthony Jenkins, Stan Jenne, Jeff Knighton, and Shan Sullivan

Others Speaking: Residents David Sollami, and Josh Gilman, Spencer Hintze with Gilbert and Stewart, Brandon Watson with Edge Homes

6:01 PM REGULAR SESSION

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

OPEN SESSION – Citizens' Comments

Mayor Fullmer opened the public session.

Resident David Sollami living in the Garden subdivision expressed concern with the city enforcing zoning code 15.34.100.1. He mentioned the it would affect about 15 of his neighbors. He proposed a change in regards to allowing small trailers or campers to be permitted. He explained that the code had two parts: one to keep the sidewalks clear and second was to discourage residents from parking their personal vehicles on the streets. He felt that those with small trailers and campers were not violating the code with the intended purpose of blocking the sidewalks or causing more cars to park on the streets. He felt that it did not make sense to replace his car with a trailer in his garage. He said it would impossible for residents to meet this code and felt that they were set up to fail. He recommended that they add a small part to the code 15.34.100.1 "Recreational vehicles, including boats, travel trailers, motor homes, horse trailers, similar vehicles kept in reasonable repair and operational condition may be located in a detached or attached garage *or in front of, as long as said vehicle does not impede public access or block sidewalks....*"

51 Mayor Fullmer asked the council if they had any comments. Councilmember Earnest asked if
52 Mr. Sollami was only talking about recreational-type vehicles on the driveway, not blocking
53 public sidewalks or on the street.

54
55 Mayor Fullmer called for further public comment. Hearing none, she closed the public session.
56

57

58 **MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS**

59 Councilmember Earnest reported that he had been discussing school safety issues for the past
60 year. He said that he wanted to figure out to how to improve school safety in Vineyard. He felt
61 that the city was close to a program that would have uniformed and armed Sheriff deputies at the
62 schools while children were present. He added that this would include technology to help
63 mitigate and find potential perpetrators. He said the that he had been working with Sergeant
64 Rockwell and the principals of the schools to put this plan together.

65

66 Councilmember Judd reported that he had attended an economic development seminar presented
67 by Natalie Gochnour with the Kem C Gardner Policy Institute and the head economist for the
68 Salt Lake Chamber of Commerce. He said that she had given them insights into the national and
69 local economies. Utah was doing well in comparison to other states; we were one of the top 5 in
70 the nation. Job growth was above the average. He said that she was looking at indicators, and one
71 of those was that it had been 10 years since the last recession. Utah would follow the national
72 economy because their gross domestic product was very similar to the U.S. Gross Domestic
73 Product. He said that they were seeing things in fiscal policy and interest rates. He explained that
74 there had been an inversion on the interest rates and usually a short time after that happens, they
75 see a recession. He said that Ms. Gochnour felt because of the strength seen in Utah County they
76 might see the economic dip a year after the rest of the country. Councilmember Judd reported
77 that he and Mr. Brim had met with Todd Brightwell with ADVISORS Consulting Services. He
78 said that they were excited to use them as an additional resource. He added that they needed to
79 nail down what the city's current plan was and any additional services or resources that would be
80 needed.

81

82 Mayor Fullmer mentioned that there would be a discussion on economic development at the next
83 RDA meeting.

84

85 Councilmember Flake reported that the legislature was back in session. He mentioned that there
86 were currently over 1,100 bills with more to come. He added that very few had progressed
87 beyond first reading. Bills to watch were:

- 88 • House Bill 78 – Federal Lands Designation. The legislature wanted to take away city
89 authority. This would affect all municipalities.
- 90 • Senate Bill 34 - Affordable Housing. Certain requirements would kick in once the train
91 station was open and if the city received bus services.
- 92 • House Bill 228 – Towing. Preclude municipalities from regulating towing. Mayor
93 Fullmer mentioned that they had reached out the representatives, letting them know the
94 city's position on the bill.
- 95 • House Bill 56 – Reporting of RDA Information. The change was going to where the
96 reporting was going to and specific fees.

97 Councilmember Flake stated that the citizens of Vineyard were getting good representation from
98 City Council and staff.

99

100 Mayor Fullmer reported that the city had been working on funding with the double track, the rail
101 spur removal, the Vineyard Connector, and Geneva Road expansion. She mentioned that they
102 were able to get the Geneva Road expansion on the second phase, which would allow them to go
103 after corridor preservation funding. She reported that they talked to Utah Department of
104 Transportation (UDOT) about the phasing of the Vineyard Connector. She said that UDOT was
105 looking into what it would take to go after it. Utah Transit Authority (UTA) was going after
106 funding at the legislature for the double track.

107

108 Mayor Fullmer reported that the city had met with people regarding economics and how the city
109 could go after funding. She added that they had met with REAL Salt Lake's nonprofit
110 organization about being a part of the city.

111

112 **STAFF, COMMISSION, AND COMMITTEE REPORTS**

113 City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that staff and
114 councilmembers had spent a lot of time at the legislature. He said that they wanted to make sure
115 that the funding sources that they supported were handled correctly. He said that they were
116 working with Union Pacific on the Center Street overpass permit. Councilmember Riley asked if
117 they were having to start over in terms of the engineering. Mr. McHargue replied that there were
118 issues but not the Mechanically stabilized Earth (MSE) wall. Mr. McHargue reported that staff
119 had been working with Utah Valley University (UVU) on their transportation and transit
120 planning sessions, making sure the city's needs were addressed.

121

122 Public Works Director/Engineer – Don Overson – Mr. Overson reported that while in the
123 meeting with UVU there was a presentation done by Zions Bank which talked about a
124 transportation reinvestment zone (TRZ) funding. He explained that it was similar to an RDA, but
125 specifically for transportation. He said that one of the qualifications was to use 51 percent of the
126 total amount bonded for on transportation and the rest could be used for sewer, water,
127 landscaping, etc., He said they could possibly use it for parking garages, head bridges, etc. for
128 transportation. He added that this would open a way to get more money for the Town Center
129 area.

130

131 City Attorney – David Church – Mr. Church had no new items to report.

132

133 Utah County Sheriff's Office – Sergeant Holden Rockwell – Sergeant Rockwell had no new
134 items to report.

135

136 Community Development Director – Morgan Brim & Planning Commission Chair – Cristy
137 Welsh – Mr. Brim reported that the plats for the Lakefront @ Town Center were on the consent
138 agenda for tonight's meeting. He said that staff was recommending that the council approve the
139 them with the exception of Plat 1B. He recommended that they pull it for discussion. He reported
140 that he had met with Commissioner Lee who indicated that he was supportive of Vineyard and
141 our projects. They discussed the rail spur removal and the double tracking issues with UTA. He

142 said that Commissioner Lee had discussed a mega site that was south of Utah Lake and how they
143 would be building a new town there. He said that they had discussed the 400-plus acres adjacent
144 to the UVU campus in Vineyard and doing a mega project such as an innovation center. Mayor
145 Fullmer mentioned that Commissioner Lee had shared the projects they had discussed in their
146 meeting. She said that the other commissioners were willing to support Vineyard on the
147 upcoming MAG projects. She added that they had also spoken with mayors from cities near
148 Vineyard to get their support.

149
150 Planning Commissioner Anthony Jenkins reported that Planning Commission had continued the
151 public hearing items to a future meeting. He reported that Bike Utah and Mountainland
152 Association of Governments (MAG) had attended their last Planning Commission meeting to
153 give them information on the trends they were seeing and what Vineyard was doing well. He
154 said that they had asked if residents would worry about children riding their bikes in the city and
155 why. He said that another issue they had was in the new neighborhoods that had cement walls
156 and people having to walk up to half a mile to get to their backyard. He said that they had
157 recommended adding more trail connectivity and entrances to the trails. He said the Bike Utah
158 suggested that Vineyard not take on any active transit project until they see if there were any
159 matching funds grants they could get.

160
161 City Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

162
163 Building Official – George Reid – Mr. Reid was excused.

164
165 Water/Parks Manager Sullivan Love – Mr. Love had no new items to report.

166
167 Planning Technician – McKenna Marchant – Code Enforcement Quarterly Report – Ms.
168 Marchant was excused.

169
170 Clean Air Task Force – Resident Josh Gilman – Committee Member – Mr. Gilman reported that
171 he had attended a Clean Air Task Force meeting presented by the Utah Valley Chamber of
172 Commerce. He said that they were trying to get representatives from every city to attend and
173 learn about their air quality and take ideas back to the cities. He said that one of the items they
174 discussed was commercial property-assessed clean energy (CPACE) financing, which could help
175 businesses build more environmentally-friendly buildings. He added that he had spoken to Ms.
176 Rimal about including air quality on social media. He also wanted to talk to the Heritage
177 Committee about having a booth to engage the community about clean air quality. Mr. Brim
178 mentioned that they were in the process of writing a new general plan and suggested that if there
179 were initiatives that the city wanted to pursue there could be a sustainable chapter to help support
180 these efforts.

181
182

183 **DISCUSSION ITEMS**

184 **5.1 Vineyard Heritage Days Summer Celebration**

185 City Manager Jacob McHargue and Heritage Commission Chair Tim Blackburn will discuss
186 plans for the Vineyard Heritage Days Summer Celebration.

187

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

189

190 Mr. McHargue explained that staff had been working with the Heritage Commission on ways to
191 celebrate Vineyard's 30-year anniversary. He said that they were planning a 3-day event, which
192 would run from May 30 to June 1 at the Grove Park. He gave a list of the activities that would
193 take place.

- 194 • Food and vendor booths
- 195 • Heritage activities similar to last year
- 196 • A carnival. There was a discussion about where to locate the carnival and parking. The
197 consensus was to have the carnival on 400 North and in the parking lot of the park and
198 move the parking to angled parking on the east side of Main Street.
- 199 • Golf Tournament
- 200 • Heritage Commemoration - Thursday
- 201 • Chalk the walk
- 202 • Mayor's Breakfast – Mayor Fullmer requested that it be called Council's Breakfast.
- 203 • Fireworks – Saturday Councilmember Earnest suggested that the fireworks be bigger
204 than last years.

205 There was a discussion about the budget. Mr. McHargue stated that the budget was about \$700
206 over the already-approved amount.

207

208 Councilmember Judd stated that he was in full support of the event. He said that every year more
209 people participate and wanted the trend to continue. Mayor Fullmer mentioned that they would
210 be celebrating the areas heritage and 30 years of being a town/city.

211

212

213 **MAYOR'S APPOINTMENTS**

214 No names were submitted.

215

216

217 **BUSINESS ITEMS**

218 **7.1 DISCUSSION AND ACTION – Fiscal Year 2017-2018 Audit Report**

219 Gilbert and Stewart will present the annual financial audit report for Fiscal Year 2017-2018
220 for consideration and acceptance by the Council. The mayor and city council will take
221 appropriate action.

222

223 Mayor Fullmer turned the time over to Spencer Hintze with Gilbert and Stewart, the auditors for
224 the city.

225

226 Mr. Hintz reviewed the audit report. He recommended that the people review the management
227 discussion and analysis, which would give them a brief understanding of what happened in the
228 city throughout the year. He also suggested that they look at the financial statements, notes to the
229 financial statements, and page 57-the independent auditor's report on internal controls. He stated
230 that during the audit they did not identify any deficiencies in the internal control that they
231 considered to be material weaknesses.

232

233 Councilmember Riley asked if they were looking to identify ways someone could take money
234 from the funds. Mr. Hintze replied that they were not able to catch everything and why they did
235 not form an opinion. He said that they did work closely with staff to make sure internal controls
236 were in place to try and avoid those types of things. Mr. McHargue mentioned that every time
237 something like that happened, the city received a letter from the state.

238

239 Mr. Hintze continued his review. He said that on page 59 was the state compliance report. He
240 said that Vineyard had complied with the requirements identified. He explained that there was an
241 instance of noncompliance in the amount in the fund balance. There was a discussion about the
242 procedures for the fund balance. Mr. McHargue explained that they made a transfer in May and
243 more money came into the city in June than was anticipated which took the fund above the
244 amount allowed. He added he would make sure review it at the end of the year. Councilmember
245 Judd explained that this happened only seven months ago.

246
247 Councilmember Judd asked about depreciation. Mr. Hintze replied that they would want to show
248 how much the equipment was actually worth. There was a discussion about depreciation. Mr.
249 Church said that there was nothing in the law that stated that they had to fund depreciation.

250
251
252 **7.2 PUBLIC HEARING – Zoning Text Amendment, Ordinance #2019-01: Regulations for**
253 **Golf Driving Ranges**

254 Planning staff will present amendments to the Zoning Code allowing for golf safety netting
255 height, standards for protection netting, requirements for site and building lighting and
256 minimum buffering from residential uses. The City Council will take appropriate action.
257 *(This item has been continued until the Planning Commission reviews it and makes a*
258 *recommendation.)*

259
260 Mayor Fullmer called for a motion to continue Item 7.2.

261
262 **Motion:** COUNCILMEMBER JUDD MOVED TO CONTINUE ITEM 7.2 ZONING TEXT
263 AMENDMENT, ORDINANCE #2019-01: REGULATIONS FOR GOLF DRIVING RANGES.
264 COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER,
265 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION
266 CARRIED UNANIMOUSLY.

267
268 **7.3 PUBLIC HEARING – Zoning Map Amendment, Ordinance #2019-02: Rezoning City**
269 **Owned Property**

270 Planning Staff is proposing a rezone of 9.05 acres of real property with Tax ID 17:023:0017
271 located at 281 West 1600 North to Public Facility (PF). This property was recently annexed
272 into Vineyard City from Lindon City and previously zoned Public Facility (PF) under the
273 Lindon City Zoning Ordinance. Vineyard is proposing to utilize this property for a future
274 Public Works Yard and Facility. The City Council will take appropriate action. (A public
275 hearing was held during the Planning Commission meeting on February 6, 2019.)

276
277 Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

278
279 Mr. Brim explained that when Vineyard had purchased the property from Lindon, they did not
280 give it a zoning designation. He said the Planning Commission and staff were recommending the
281 land be rezoned to Public Facilities. Mayor Fullmer asked about potential retail on the property.
282 Mr. Brim did not recommend rezoning the property as retail until they decided whether or not to
283 sell it. Councilmember Judd mentioned that if they were to sell the property, they would be
284 required to annex it back into Lindon. Mr. Brim commented that the Public Facilities designation
285 would allow the city to build a public works yard.

286
287 Councilmember Riley left the meeting at 7:12 PM.
288

289 **Motion:** COUNCILMEMBER EARNEST MOVED TO APPROVED ORDINANCE 2019-02
290 AS PRESENTED. COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL
291 WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE,
292 AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION
293 CARRIED WITH ONE ABSENT.

294

295 Councilmember Riley rejoined the meeting at 7:14 PM.

296

297 **7.4 DISCUSSION AND ACTION – Lakefront @ Town Center Open Space Credit**

298 Planning staff is proposing that the City Council consider an in-lieu substitution for a portion
299 of the required on-site open space for the development of a portion of the promenade. The
300 City Council will take appropriate action.

301

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

303

304 Mr. Brim clarified that the Planning Commission had diligently gone through every aspect of the
305 site plan. He said that tonight, all that was being requested was an in-lieu substitution of the open
306 space. He explained that the developer needed to make up 4.88 acres of open space which was
307 being proposed to occur in the promenade. He said that the benefit would be that the city would
308 receive public open space in the promenade. He explained that the project had been broken into
309 two phases and they were discussing Phase 1 tonight. He said that there were nine (9) final plats
310 up for approval in Phase 1. He added that staff had provided conditions that would require the
311 developer to bond for amount of the in-lieu substitution of open space. Mr. McHargue explained
312 how the in-lieu substitution worked. Mr. Brim provided the mayor and council with updated
313 conditions.

314

315 There was a discussion about Phase 1 and open space requirements. Councilmember Judd
316 expressed concern with giving a proportionately higher open space in the development and
317 deferring off the public open space. Brandon Watson with Edge Homes explained that in their
318 original plans, they were short 20 percent of the open space on the south half. They would be
319 bonding for one-acre of the promenade to meet the ordinance. The discussion continued about
320 the division of the open space. Mr. Church suggested that when they approve the south half, they
321 assume that the north half would not get built and how they should comply as a standalone
322 project. He asked how they move the obligation from the plat and onto the promenade. His
323 suggestion was to bond for it in case the developers were not the ones who developed the
324 promenade. There was a discussion about using a unit count for open space requirements. Mr.
325 Church stated that all that staff was asking for was approval of the concept of the bond. He said
326 that they would calculate out the easiest way to determine the amount. He said the idea was, once
327 they were ready to build the promenade, to have the developer build their portion or have the
328 money available to build it. Mr. McHargue felt that the dollar amount might be different but the
329 direction was important.

330

331 Councilmember Riley asked if there was a scenario where they would anticipate the promenade
332 being completed outside of this project and they would have to come up with the 20 percent open
333 space. Mayor Fullmer replied that as she understood it the developer could give money towards
334 the completed project for improvements. Councilmember Riley asked if they could give the city
335 money in lieu of open space. Mr. Church explained that the Town Center plan assumed a big
336 unified plan with one property owner. He said that now, Edge Homes was building a portion of
337 the plan, and the promenade was calculated into the whole area. He said that in the residential
338 zoning areas there had to be a minimum of 20 percent open space. He stated that they needed to
339 continue to look at it holistically. He said they were still working on a master development plan.

340 He mentioned that the density numbers were set by the form of the building, side yards, and the
341 open space, etc. If the promenade was already built, they would be asking for credit for the open
342 space. Mr. McHargue added that Edge Homes did not want to bond for the open space but could
343 not do anything until the development agreement was in place. He said that they did not
344 anticipate a bond on the second half of the development because they would have to build a
345 portion of the promenade as the second half of the development was being completed.

346

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

348

349 **Motion:** COUNCILMEMBER EARNEST MOVED TO APPROVE THE REQUEST FOR AN
350 IN-LIEU SUBSTITUTION FOR OPEN SPACE REQUIREMENTS FOR THE LAKEFRONT
351 @ TOWN CENTER DEVELOPMENT WITH THE FOLLOWING TWO CONDITIONS:

- 352 1. THE DEVELOPER (EDGE HOMES) AND VINEYARD CITY SHALL ENTER INTO
353 A DEVELOPMENT AGREEMENT PRIOR TO THE RECORDATION OF FINAL
354 PLATS FOR THE LAKEFRONT @ TOWN CENTER DEVELOPMENT. PHASE 1,
355 INCLUDING PLATS A, B, C, D, E, F, G, H, AND I OF THE LAKEFRONT @ TOWN
356 CENTER SHALL NOT BE RECORDED UNTIL PHASE 1 MEETS THE REQUIRED
357 ONSITE OPEN SPACE OR THE DEVELOPER BONDS FOR THEIR
358 PROPORTIONATE SHARE OF THE ESTIMATED PROMENADE COSTS.
- 359 2. IF ANY PORTION OF THE CONDITIONS OF THE PLANNING COMMISSION'S
360 APPROVAL ON FEBRUARY 6, 2019 CONFLICTS WITH CONDITION 1 ABOVE,
361 CONDITION 1 SHALL SUPERSEDE.

362

363 Councilmember Judd asked to amend condition 1 to say that "...estimated lake promenade costs
364 as a percentage of the number of units in Phase 1 divided by the total number of units in phase 1
365 and Phase 2. Mr. Watson replied that it was to meet the 20 percent open space and that they
366 would be okay with it being by unit.

367

368 Councilmember Earnest amended the motion:

369

370 **Amended Motion:** COUNCILMEMBER EARNEST MOVED TO APPROVE THE REQUEST
371 FOR AN IN-LIEU SUBSTITUTION FOR OPEN SPACE REQUIREMENTS FOR THE
372 LAKEFRONT @ TOWN CENTER DEVELOPMENT WITH THE FOLLOWING TWO
373 CONDITIONS:

- 374 1. THE DEVELOPER (EDGE HOMES) AND VINEYARD CITY SHALL ENTER INTO
375 A DEVELOPMENT AGREEMENT PRIOR TO THE RECORDATION OF FINAL
376 PLATS FOR THE LAKEFRONT @ TOWN CENTER DEVELOPMENT. PHASE 1,
377 INCLUDING PLATS A, B, C, D, E, F, G, H, AND I OF THE LAKEFRONT @ TOWN
378 CENTER SHALL NOT BE RECORDED UNTIL PHASE 1 MEETS THE REQUIRED
379 ONSITE OPEN SPACE OR THE DEVELOPER BONDS FOR THEIR
380 PROPORTIONATE SHARE OF THE ESTIMATED PROMENADE COSTS AS A
381 PERCENTAGE OF THE NUMBER OF UNITS IN PHASE 1 DIVIDED BY THE
382 TOTAL NUMBER OF UNITS IN PHASE 1 AND PHASE 2.
- 383 2. IF ANY PORTION OF THE CONDITIONS OF THE PLANNING COMMISSION'S
384 APPROVAL ON FEBRUARY 6, 2019 CONFLICTS WITH CONDITION 1 ABOVE,
385 CONDITION 1 SHALL SUPERSEDE.

386

387 COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS
388 FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND
389 RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

390

391

392 **CONSENT ITEMS**

- 393 **8.1** Approval of the January 23, 2019 City Council Meeting Minutes
- 394 **8.2** Approval of an addendum to The Geneva Road Access Management Plan
- 395 **8.3** Approval of the Lakefront @ Town Center Final Plat Phase 1-A
- 396 **8.4** Approval of the Lakefront @ Town Center Final Plat Phase 1-B
- 397 **8.5** Approval of the Lakefront @ Town Center Final Plat Phase 1-C
- 398 **8.6** Approval of the Lakefront @ Town Center Final Plat Phase 1-D
- 399 **8.7** Approval of the Lakefront @ Town Center Final Plat Phase 1-E
- 400 **8.8** Approval of the Lakefront @ Town Center Final Plat Phase 1-F
- 401 **8.9** Approval of the Lakefront @ Town Center Final Plat Phase 1-G
- 402 **8.10** Approval of the Lakefront @ Town Center Final Plat Phase 1-H
- 403 **8.11** Approval of the Lakefront @ Town Center Final Plat Phase 1-I

404
405 Mayor Fullmer called for a motion.

406
407 **Motion:** COUNCILMEMBER JUDD MOVED TO REMOVE 8.4 LAKEFRONT @ TOWN
408 CENTER PHASE 1B AND APPROVE 8.1 THRU 8.3 AND 8.5 THRU 8.11 AS
409 PRESENTED.AND DISCUSS 8.4. COUNCILMEMBER FLAKE SECONDED THE MOTION.
410 MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY
411 VOTED AYE. MOTION CARRIED UNANIMOUSLY.

412
413 **Consent item: 8.4 Approval of the Lakefront @ Town Center Final Plat Phase 1-B**

414
415 Mayor Fullmer turned the time over to Economic Development Director Morgan Brim.

416
417 Mr. Brim explained that this development included a public access route on the north and south
418 side of the club house. He said that staff wanted ensure that it was reflected on the plat as an
419 easement. His recommendation was that council approve the plat subject to the developer
420 working with staff to establish a public access easement on the north and south side of the club
421 house. Councilmember Riley asked what the approximate width of the access was. Mr. Brim
422 replied that he did not know, but the plans showed a conceptual idea. He suggested that they get
423 at least six inches on either side of the sidewalk. Councilmember Riley stated that it should not
424 be less than a 10-foot access. There was a discussion about the size of the access. Mr. Brim felt
425 that 10 feet would be enough for a maintenance vehicle and was standard for a path in the city.

426
427 Mayor Fullmer called for a motion.

428
429 **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE 8.4 LAKEFRONT @ TOWN
430 CENTER PHASE 1 PLAT B WITH THE ADDITIONAL REQUIREMENT OF A MINIMUM
431 10-FOOT EASEMENT ON THE NORTH AND SOUTH SIDE OF SAID PLAT.
432 COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER,
433 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION
434 CARRIED UNANIMOUSLY.

435
436
437 **TRAINING – Open and Public Meetings Act**

438 City Attorney David Church will present annual training on Open and Public Meeting
439 procedures and requirements. The City Council as well as members of the Planning Commission
440 will attend this training. This training is provided annually pursuant to Section 52-4-104 of the
441 Utah State Code.

442
443 Mayor Fullmer turned the time over to City Attorney David Church.

444 Mr. Church presented the annual Open and Public Meetings Act training. He discussed
445 electronic communication between mayors, councilmembers, staff, and the public. He explained
446 that the act stated that it was the policy of the State of Utah that all public bodies take their
447 actions and conduct their deliberations openly. He said that it was easy to take actions openly but
448 the confusion was what it meant to deliberate. He stated that there were a lot of electronic ways
449 to communicate. The legislature amended the act to add the definition of electronic messages,
450 which was communications conducted electronically, including electronic mail, instant
451 messages, electronic chat, text messaging, and every other method that conveys a message
452 electronically. The legislature also added a section that said that nothing in this chapter should be
453 constructed to prevent a member a public body from transmitting an electronic message to other
454 members of a public body at time when the public body is not convened in an open meeting. In
455 theory if not convened as a public body there was nothing in the act that prevents members from
456 texting each other, commenting on Facebook, speaking on the telephone, etc. It should not
457 happen if convened in an open meeting. He asked outside of an open meeting, when does an
458 electronic communication violate the act. He explained that a meeting was defined as the
459 convening of the public body with a quorum present, in person or by means of electronic
460 communication. He further explained that convened meant the calling together by a person
461 authorized to do so. He said if the mayor were to say, "let's all get together by email or
462 electronic means and discuss it," that was a meeting without inviting the public to participate and
463 would be a violation of the open and public meetings act. If a councilmember sent an email to
464 the rest of council expressing concerns about an agenda item, then it would not be a meeting
465 unless deliberations occurred and then you might be violating the spirit of the act. He explained
466 that they did not have a meeting unless there was a quorum present.

467
468 Councilmember Earnest asked if he could send emails to councilmembers informing them of
469 things he had learned about school safety. Mr. Church replied that if he said "mayor I need a
470 decision", then it would be a violation. He added that they could comment on social media.

471
472 Planning Commissioner Jeff Knighton asked if they could share thoughts about staff reports
473 emailed to them before a Planning Commission meeting. Mr. Church replied that they could
474 share thoughts on the agenda items as long as there were no decisions made and they were not
475 deliberating. He said that deliberations and deciding how to vote should be done in front of the
476 public. He added that the policy was to favor transparency over efficiency. He said that the
477 Planning Commission was entrusted to make the decision as the land use authority and had
478 obligations of due process. Councilmember Judd stated that he like the transparency and that
479 under the GRAMA law those were available to the public. There was further discussion about
480 open meetings and communications.

481
482 Mr. Knighton asked what he could do if he was going to be out of town and wanted to provide
483 feedback. Mr. Church replied that he could share his thoughts with the public body and ask them
484 to be stated in the public meeting. He mentioned that the act allowed electronic meetings and the
485 city code allowed a member of the public body to participate electronically and was different
486 from electronic communications.

487
488 Planning Commission Chair Cristy Welsh asked for clarification that if someone was out of
489 town, they could send communication to the entire public body. Mr. Church explained that the
490 public body was in a meeting if they had been convened and a quorum was present. He said that
491 if a member of the public body sent out an email blast to the entire group, that was not a meeting
492 until someone said let's discuss this. Ms. Welsh stated that she liked the ability to know what
493 someone's thoughts were if they were not going to be at the meeting. Councilmember Judd felt
494 that it was avoiding deliberation. He felt that an email blast was okay, but deliberating or
495 deciding was not okay. Mr. Church stated that sharing thoughts after you have shared thoughts

496 was not okay. The discussion continued. Mr. Church stated that the public cared about knowing
497 what was going on.

498
499 There was a discussion about holding public hearings. Mr. Church explained they only needed
500 one public hearing to meet the state code and if the Planning Commission held one, then the City
501 Council did not need to hold one.

502
503

504 **CLOSED SESSION**

505 No closed session was held.

506
507

508 **ADJOURNMENT**

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511

Mayor Fullmer called for a motion to adjourn the meeting.

512 **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:55 PM.
513 COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER,
514 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. MOTION
515 CARRIED UNANIMOUSLY.

516
517

518 The next regularly scheduled meeting is February 27, 2019.

519
520

521 MINUTES APPROVED ON: _____

522

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

525



Date: February 27, 2019
Agenda Item: 9.1 Public Hearing and Consideration of Ordinance 2019-01 Regulations for Golf Driving Ranges
From: Morgan Brim, Community Development Director
Department: Community Development
Subject: Public Hearing for Zoning Ordinance Text Amendments

Recently the RDA Board of Vineyard approved an incentive package for Big Shots Golf. This text amendment proposing safety netting and lighting standards. These standards are similar to those employed by Midvale City governing the Top Golf Facility. The proposed lighting standards ensure light pollution doesn't project into the Edge Water Town Home community to the south. The developer of The Yard Retail Center requested changes in the first draft of the text amendment. These changes included reducing the residential spacing from 400 feet to 300 feet, allowing lights to be placed at 60 feet on support poles and allowances for recreational uses of the support poles through a conditional use permit.

RECOMMENDATION:

Staff is recommending approval of Ordinance 2019-01.

The Planning Commission recommended approval of the ordinance.

PROPOSED MOTION:

"I move to approve Ordinance 2019-01."

ATTACHMENTS:

- Proposed Ordinance (Includes all text amendments)

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE VINEYARD CITY, UTAH, AMENDING THE CITY'S ZONING ORDINANCE TO ADD SECTION 15.34.200 DRIVING RANGES TO PROVIDE ALLOWANCES FOR GOLF SAFETY NETTING HEIGHT, STANDARDS FOR PROTECTION NETTING, REQUIREMENTS FOR SITE AND BUILDING LIGHTING AND MINIMUM SPACING FROM RESIDENTIAL USES; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVING AN EFFECTIVE DATE.

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of the Utah Municipal Code permits the City of Vineyard to ensure the health, safety and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, the City of Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code § 10-9a-102(2); and

WHEREAS, the Planning Commission held a public meeting on February 19, 2019 and after fully considering staff recommendations, recommended approval to the Vineyard City Council on February 19, 2019; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on February 27, 2019; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF VINEYARD:

Section 1: SECTION 15.34.200 DRIVING RANGES:

1. Golf Safety Netting.
 - a. Golf safety nets may be permitted for the purposes of retaining golf balls within the boundaries of an established driving range.
 - b. Golf safety netting shall only be permitted on the sides and rear of the driving range and are not permitted within the front yard area of the facility.
 - c. Golf safety netting and associated support system shall not exceed a height of one hundred eighty feet (180') measured from the adjacent grade of each pole.
 - d. Flags, signs, banners and other appurtenances are prohibited from being attached to the support structure or netting.
 - e. Golf safety nets shall be constructed in accordance with the following minimum standards:
 - i. All golf safety nets require a building permit.
 - ii. Support posts and netting shall be consistent in all detail and design throughout the project area serving the driving range.
 - iii. All golf safety nets shall be constructed in accordance with the manufacturer's recommendations.
 - iv. Support posts shall be constructed of rust-resistant metal approved by a structural engineer and shall meet all requirements of the city's Building Code and all other applicable codes.
 - v. Netting material shall be designed for the purpose of obstructing golf balls.
 - vi. Support structures should be fitted with a device, such as a halyard, that allows the net panel(s) to be removed for repair or storage.

- f. Golf safety nets shall be maintained and repaired by the property owner in accordance with the following minimum standards:
 - i. Any missing or broken support post that was a component of the original design of the golf safety net shall be repaired or replaced with similar material.
 - ii. Torn netting which no longer serves the intended purposes shall be repaired or replaced with similar material.
- g. Driving range facilities, safety netting and support structures shall maintain a minimum distance of three-hundred feet (300') from residential buildings.

2. Golf Range Lighting.

- a. All lights placed on property entrances or on building facades shall be down-directed and shielded to direct light to the entry or pedestrian way. The lighting design shall minimize light trespass. Spotlights and floodlights are prohibited. All pedestrian pathways shall include either bollard lighting, or down-directed lighting which shall not exceed twelve feet in height.
- b. Exterior lighting attached to a golf safety netting support pole shall not exceed a height of sixty (60') feet and shall only be used for the purposes of illuminating the driving range.
- c. Additional lighting height may be approved as required by State or Federal Law.
- d. A lighting plan shall be submitted for review with all driving range site plan and/or conditional use permit applications demonstrating impacts on residential uses located in the general vicinity of the subject area. The Planning Commission may impose conditions to mitigate potential adverse impacts to surrounding properties.
- e. Use of golf safety netting support poles for other recreational uses may be approved through the provision of a conditional use permit.

Section 2: REPEALER CLAUSE. All Town of Vineyard Ordinances, or parts thereof, which are in conflict herewith are hereby repealed.

Section 3: SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4: PUBLICATION. This Ordinance, or a summary thereof, shall be published in the official newspaper of the Town, and shall take effect immediately upon its passage, approval, and publication.

Section 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED by the CITY COUNCIL and APPROVED by the Mayor of Vineyard, Utah on this _____ day of _____, 2019.

Julie Fullmer, Mayor

ATTEST:

Pam Spencer, City Clerk