



**NOTICE OF A VINEYARD
CITY COUNCIL MEETING
September 9, 2020 at 6:00 PM**

PUBLIC NOTICE is hereby given that the Vineyard City Council will hold a regularly scheduled meeting on Wednesday, September 9, 2020 at 6:00 p.m. This meeting will be held electronically, but the public is welcome to attend in person at our anchor location in the City Council Chambers at 125 South Main Street, Vineyard, Utah.

This meeting can be viewed live through Zoom. Please click this link <https://zoom.us/j/95338331004> or dial 1-301-715-8592 US or 1-253-215-8782 to join the meeting.

AGENDA

Presiding Mayor Julie Fullmer

REGULAR SESSION

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE – *to be announced.*

2. PUBLIC COMMENTS

(15 minutes)

“Public Comments” 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.

Public comments can be submitted ahead of time to pams@vineyardutah.org. Public comments will also be taken through the zoom app by either using the ‘chat’ feature or the ‘raise hand’ feature when prompted.

3. MAYOR AND COUNCILMEMBERS’ REPORTS/DISCLOSURES/RECUSALS

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

(3 minutes each)

Code Enforcement – Planning Technician Briam Amaya Perez – Quarterly Report

5. CONSENT ITEMS

5.1 Approval of the August 26, 2020 City Council Meeting Minutes

6. MAYOR'S APPOINTMENTS

No names were submitted.

7. DISCUSSION/PRESENTATION

DISCUSSION – City Attorney

City Manager Jacob McHargue will present plans for conducting interviews for a city attorney.

8. BUSINESS ITEMS

8.1 DISCUSSION AND ACTION – NarcX

(15 minutes)

Youth Councilmember Holland Welch will present NarcX, a liquid prescription disposal product. The mayor and city council will take appropriate action.

8.2 DISCUSSION AND ACTION – Municipal Code Amendment Section 2.08 City Manager (Ordinance 2020-12)

(15 minutes)

The mayor and City Council will discuss proposed amendments to the city manager's duties. They will act to adopt (or deny) these amendment by Ordinance.

8.3 DISCUSSION – Amendments to the Personnel Policies and Procedures Manual

(15 minutes)

Mayor and city council will discuss amendments to the City's Personnel Policies and Procedures Manual.

9. 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 (these are just a few of the items listed, see Utah Code 52-4-205 for the entire list):

- (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, including any form of a water right or water shares
- (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares
- (f) discussion regarding deployment of security personnel, devices, or systems;
- (g) the purpose of considering information that is designated as a trade secret, as defined in Section [13-24-2](#), if the public body's consideration of the information is necessary in order to properly conduct a procurement under [Title 63G, Chapter 6a, Utah Procurement Code](#);

10. ADJOURNMENT

The next regularly scheduled meeting is September 23, 2020.

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 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: September 8, 2020

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER



**MINUTES OF A VINEYARD
CITY COUNCIL MEETING**

City Council Chambers
125 South Main Street, Vineyard, Utah
August 26, 2020 at 6:03 PM

Present

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

Absent

Staff Present: City Manager Jacob McHargue, Public 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, Building Official George Reid, Water/Parks Manager Sullivan Love, City Recorder Pamela Spencer, Planning Commission Chair Anthony Jenkins, Planning Commissioner Amber Rasmussen

Others Speaking: Marlon Lindsay with TechTrep

6:03 PM REGULAR SESSION

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

Mayor Fullmer opened the meeting at 6:03 PM. Councilmember Flake gave the invocation and led the Pledge of Allegiance.

2.  PUBLIC COMMENTS

Mayor Fullmer called for public comments. Hearing none, she closed the public comments session.

3. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

No reports were given.

4. STAFF, COMMISSION, AND COMMITTEE REPORTS

4.1  Utah County Sheriff's Office – Sergeant Holden Rockwell – Quarterly Reports (1st and 2nd Quarters)

Mayor Fullmer turned the time over to Sergeant Holden Rockwell.

49 Sergeant Rockwell presented the report for the 1st and 2nd quarters. Highlights were:

50

QTR.		Total CAD Calls	Officer Generated Calls	Public Generated Calls	Case Numbers	Arrests	Traffic Stops	Citations
1 st Qtr.		2204	1119	1085	369	73	597	243
2 nd Qtr.		2086	763	1323	440	30	306	98
Total		4290	1882	2408	809	103	903	341

51

52 **Nature of incidents Qtr. 1:**

53 Burglary/Theft 24
54 Assault/Domestic Violence
55 Violence 26
56 Drugs/Alcohol 40

52 **Nature of incidents Qtr. 2:**

53 Burglary/Theft 30
54 Assault/Domestic
55 Violence 26
56 Drugs/Alcohol 15

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58 **Response Times Qtr. 1:**

59 Priority 1-2 5:24
60 Total 310

58 **Response Times Qtr. 2:**

59 Priority 1-2 4:13
60 Total 417

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62 Sergeant Rockwell mentioned that the second quarter calls had gone down because the
63 department was exercising safe practices due to COVID-19 exposure concerns. He expressed his
64 appreciation for the support from the city and its residents. He said that the Sheriff's Office was
65 here to help and support the city.

66

67 **4.2  Finance – Assistant Finance Director/Treasurer Mariah Hill – Fourth Quarter**
68 Report for Fiscal Year 2020

69

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

71

72 Mr. McHargue gave a brief review of the fourth quarter report. He pointed out that the year-end
73 budget was slightly above projected revenues at 110 percent and slightly below the projected
74 expenditures at 95 percent. He said that they were able to put just over \$1 million into the Capital
75 Projects Fund. He said that all of the funds came in in the green. He mentioned that the budget
76 report would be posted on the website for further review.

77

78 Mr. McHargue reported that the finance department was able to hire Bayley Deason to fill the
79 new accounting role.

80

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82 **5.  CONSENT ITEMS**

83 **5.1 Approval of the August 12, 2020 City Council Meeting Minutes**

84 **5.2 Approval of Sycamores Final Plat Phase 7.3**

85

86 Mayor Fullmer called for a motion.

87

88 **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE CONSENT ITEMS 5.1 AND
89 5.2. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER,
90 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE
91 MOTION CARRIED UNANIMOUSLY.

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6. MAYOR'S APPOINTMENTS

No names were submitted.

7. DISCUSSION/PRESENTATION

7.1 PRESENTATION - STEM City

Marlon Lindsay with TechTrep will do a presentation about the possibility of Vineyard becoming a STEM City. TechTrep is a comprehensive STEM (science, technology, engineering and mathematics) and CTE (career and technical education) provider that works with families, schools, and communities.

Mayor Fullmer turned the time over to Marlon Lindsay with TechTrep.

Mr. Lindsay said that an Oxford study showed that 47 percent of today's jobs will either disappear or transform so much that the incumbent performers will not be able to do them. Not all children are being readied to fill these jobs. He said that there were 400,000 computer science jobs across the country and only 71,000 graduates to fill them. By 2028 there will be about 2.4 million advanced manufacturing jobs available that they will not be able to fill. Currently there are about 1 million cyber security jobs that they were not able to fill. He said the in Utah, there were almost 5,000 jobs available and only 1,228 graduates. He said that this was not a problem of education alone, it was also a workforce and economic development issue. The charge in Vineyard and around the country was to put 100 percent of the children through STEM exposure, alongside traditional education. He said that TechTrep had just launched a virtual STEM and CTE academy. They were also helping get more children involved with STEM by working with school districts for after-school and at-home access. He added that they were doing everything they could to automate the processes so that they were prepared to handle a pandemic. He said that with Vineyard as a STEM City it would mean that they get all stakeholders talking about STEM.

Councilmember Earnest asked how Vineyard would enact this program. Mr. Lindsay replied that they needed to have the school districts and council on board. This would provide STEM access to children in school, out of school, and after school. They would look at community organizations and where children go after school. They help train mentors and help provide home access. They also work with the parents to upskill and reskill to become mentors and guides as their children are learning.

Mayor Fullmer felt that the city could facilitate a conversion with the local school district to see what partnerships they could form. She mentioned that there was a Telehealth portion of the CARES Act funding that Vineyard could show support for but TechTrep would have to apply for it. She mentioned that she had met with a group that was part of the Oaks Foundation, which works with single moms and families to teach them coding and get them out in the workforce. The foundation would like to possibly become a partner in the STEM City program.

Councilmember Judd asked how they would get stakeholders to partner with Vineyard. Mr. Lindsay replied that the city would want to tap into their stakeholders, create awareness around their issues, and have them become mentors for children in the STEM program. Councilmember Judd asked what the criteria were that a company needed to meet. Mr. Lindsay replied that they wanted it to be as open as possible. Mayor Fullmer asked how the companies would join. Mr. Lindsay replied that the city would need to have an awareness meeting where they discuss the

143 opportunities of a STEM City, identify potential stakeholders, and then reach out to them and ask
144 them to participate. There was a discussion about how to use stakeholders.

145
146 Mayor Fullmer stated that she liked the idea of becoming a STEM City. She felt that this was
147 just the beginning of the process. She said that they should start with staff. She asked council for
148 their input. Councilmember Judd suggested they work with the schools including Utah Valley
149 University (UVU). He mentioned that there were startup facilitators that they could contact.

150
151 Councilmember Welsh stated that she was in support of the program. She said that there were
152 residents who owned companies they could contact and even one that owned a coding school.
153 Councilmember Flake mentioned that he used to teach a STEM program and was 100 percent in
154 favor of participating in it.

155
156 Mayor Fullmer suggested that they build a coordination group and then bring their ideas back to
157 council. Mr. McHargue said they could put it on the economic development agenda and talk with
158 current and future Vineyard businesses.

159
160 Mayor Fullmer felt that the city was ready to move forward. Mr. Lindsay said that they needed to
161 take an inventory of the stakeholder ecosystem.

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163 **7.2  DISCUSSION – Coronavirus Aid, Relief, and Economic Security (CARES)**
164 **Act Funding**

165 City Manager Jacob McHargue will lead a discussion about CARES Act Funding.

166
167 Mayor Fullmer turned the time over to City Manager Jacob McHargue.

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169 Mr. McHargue mentioned that he had been waiting on further clarification from the federal
170 government. He said that he had had multiple meetings with Utah County and city managers
171 around the state about what the requirements were for spending the money. He said that, in his
172 opinion, there were some discrepancies between the county and the federal government spending
173 guidelines. He said that there were some things that the cities saw as a cost that should be
174 allowed. The original code said that the funds could not be spent on previously-budgeted monies.
175 They then said that no one had budgeted for public safety time spent on COVID, but the county
176 said that they were not comfortable with money being spent on public safety. The feedback from
177 12 of 15 local cities was that they were spending the money on public safety.

178
179 Mr. McHargue said that staff had discussed CARES Act expenditures. He mentioned that the
180 city had received about \$700,000 in CARES Act Funds. Mayor Fullmer mentioned that the
181 officers and the fire department were using about 30 percent of the budget. Mr. McHargue said
182 that some of their calls could be attributed to COVID.

183
184 Mr. McHargue explained that they had come up with a list of expenditures and had ranked
185 everything on the list from 1 – low risk of a future audit, 2 – somewhat risky, and then deleted all
186 of the 3's. He mentioned that some of the items on the list were technology related.

187 A few of the items on the list were:

- 188 • \$75,000 for upgrades to the council room and meeting software and hardware.
- 189 • Personal protection equipment (PPE) for staff
- 190 • Hand washing and bottle filling stations at the parks
- 191 • Help the schools with bottle filling stations
- 192 • Additional parks maintenance, which would include a trailer with a sprayer to fog the
- 193 pavilions and the playground equipment.

- Zoom licenses
- Employee reimbursements for cell phones and home internet when working remotely

Mr. McHargue said that the current list came to around \$400,000 in costs. The proposal was to fund all of the #1 items on the list and the remainder would be allocated to public safety.

Mayor Fullmer asked about having additional screens and computers for employees working remotely and computers for councilmembers to use. Mr. McHargue said that those items were included in the IT costs. He explained that council had been participating in meetings remotely and had done more coordination with staff over email, so the suggestion was to purchase laptops for the city council instead of having them use iPads. There was a discussion about the council using laptops. Mr. McHargue mentioned that the council would not be able to access the server on a personal computer. They should use a city device to conduct city business.

There was a discussion about upgrading the city website and using agenda management software. Councilmember Judd felt that anything staff could do to upgrade IT apps, the website, and public safety would be a good use of the funds. He asked about the public information sign mentioned on the list. Mr. McHargue replied that it was a monument sign with rolling text to share safety information with the public.

Mr. McHargue said that he would share the council's feedback with the county, that the city would be spending the money on public safety as well as the tier-1 costs.

8. BUSINESS ITEMS

8.1 **DISCUSSION AND ACTION Shared Use Maintenance Agreement**

City Manager Jacob McHargue will present the shared use maintenance agreement between Vineyard and Waters Edge Master Homeowners Association, Inc. (the "HOA"). The mayor and city council will take appropriate action. *(This item was continued from the August 12, 2020 City Council Meeting.)*

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

Mr. McHargue explained that the shared use agreement was for the parking lot at Penny Springs Park. The agreement also included shared maintenance costs for the parking lot, irrigating the landscaping around the parking lot and maintenance of the landscaping strip.

Mayor Fullmer asked if the Public Works Department's concerns had been met. Mr. McHargue replied that the Homeowners Association (HOA) would be responsible for maintenance and the city would cover the cost of irrigation for Parcel A.

Mayor Fullmer asked how this would affect the parking concerns that had been going on. Mr. McHargue replied that parking was currently not allowed overnight but enforcement was assigned through University Parking Enforcement and that the city would take enforcement back once the agreement was signed. There was a discussion about parking enforcement. Sergeant Rockwell explained how parking enforcement would work with the shared use. Mayor Fullmer asked if they would be creating additional parking issues with this agreement. Councilmember Judd expressed concern with having the Sheriff's Office enforcing the parking. Sergeant Rockwell mentioned that the Sheriff's Office did not contract with towing companies and was not sure they wanted to start doing that with city-owned property. He felt that the Sheriff's Office would be less predatory in their enforcement. The discussion continued.

245
246 Water/Parks Manager Sullivan Love expressed concern that Mr. McHargue’s staff report still
247 said that the city would be maintaining the landscaping. Mr. McHargue replied that it had been
248 taken out of the agreement and that Flagship Homes was in agreement with the change. Assistant
249 City Engineer Chris Wilson explained that this only referred to Parcel A, which the city owned.

250
251 Mayor Fullmer asked how broken sprinklers in that area would affect the city. Mr. McHargue
252 replied that there would be a water cost but a broken sprinkler would only leak when that station
253 was running. He said that issue they were having now, was that some control valves were stuck
254 open. He added that this did not affect the park, it was only for the area around the parking lot
255 and clubhouse.

256
257 Mayor Fullmer called for a motion.

258
259 **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE AND ALLOW THE MAYOR
260 TO SIGN THE SHARED MAINTENANCE AGREEMENT AS PRESENTED.
261 COUNCILMEMBER EARNEST SECONDED THE MOTION.

262
263 Mr. Wilson mentioned that in Section 3 of the agreement it did not state who would be paying
264 for the dumpsters. Mr. McHargue replied that if it was not in the contract, he assumed it would
265 be covered by the Homeowners Association.

266
267 **Amended Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE AND ALLOW THE
268 MAYOR TO SIGN THE SHARED MAINTENANCE AGREEMENT AS PRESENTED WITH
269 THE FOLLOWING CORRECTION IN SECTION 3 THAT THE DUMPSTERS WOULD
270 PAYED FOR BY THE HOA AND THE STAFF REPORT WOULD BE UPDATED.
271 COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER,
272 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE
273 MOTION CARRIED UNANIMOUSLY.

274
275 **8.2  DISCUSSION AND ACTION – Municipal Code Amendment – 3.08 Electronic**
276 **Meetings (Ordinance 2020-10)**


277 The mayor and city council will discuss a proposed amendment to the Municipal Code
278 Title 3.08 Electronic Meetings. The amendments are to add contingencies for electronic
279 meetings, add an emergency meeting section, and make technical changes. The mayor
280 and city council will act to adopt (or deny) this request by ordinance.

281
282 Mayor Fullmer turned the time over to City Recorder Pamela Spencer.

283
284 Ms. Spencer explained that according to state code the city was required to adopt an ordinance for
285 electronic meetings. She said that this ordinance was to amend the city code to match the state’s
286 code amendment, with a few exceptions.

287
288 **Motion:** COUNCILMEMBER EARNEST MOVED TO ADOPT ORDINANCE 2020-10,
289 AMENDING THE MUNICIPAL CODE TITLE 3.08 ELECTRONIC MEETINGS, AS
290 PRESENTED. COUNCILMEMBER WELSH SECONDED THE MOTION. ROLL CALL
291 WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE,
292 JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

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294 **8.3**  **DISCUSSION AND ACTION – Mosquito Abatement – Interlocal Agreement**
295 **with Utah County (Resolution 2020-15)**

296 City Manager Jacob McHargue will present an interlocal agreement between Utah
297 County and Vineyard for mosquito abatement for the month of September 2020. The
298 mayor and city council will act to adopt (or deny) this request by resolution.
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300 Mayor Fullmer turned the time over to City Manager Jacob McHargue.
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302 Mr. McHargue said that he had spoken with the division director for Utah County Mosquito
303 Abatement about increased calls for mosquito abatement. He said that the contract would help
304 cover the cost to spray for mosquitoes in the month of September. Mayor Fullmer asked if this
305 would take away from the abatement in the city. Mr. McHargue replied that it was part of what
306 was allocated for spraying for the year. Councilmember Judd felt that it was better to have the
307 county do the spraying. There was further discussion about mosquito abatement.
308

309 **Motion:** COUNCILMEMBER EARNEST MOVED TO APPROVE RESOLUTION 2020-15
310 AND ALLOW THE MAYOR TO SIGN THE INTERLOCAL AGREEMENT WITH UTAH
311 COUNTY. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT
312 AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD,
313 AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.
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316 **8.4**  **DISCUSSION AND ACTION – Municipal Code Amendment – Parking**
317 **Regulations (Ordinance 2020-11)**

318 Staff is requesting the approval of an amendment to the Municipal Code Section
319 10.04.040 Unlawful Parking, to allow the city to restrict or allow parking in certain areas.
320 The mayor and city council will act to adopt (or deny) this request by ordinance.
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322 Mayor Fullmer turned the time over to Community Development Director Morgan Brim
323

324 Mr. Brim explained that the code amendment did two things: it clarified that mobile food
325 businesses needed to follow Section 5.16 of the Municipal Code, and it amended the parking
326 code to bring it in line with Resolution 2019-10, allowing for the exception of parking
327 restrictions on certain roads in the city.
328

329 Councilmember Earnest asked who the city would be putting out if they adopted the parking
330 amendments. Ms. Spencer replied that the amendment would keep the city in line with
331 restrictions they already had in place. They would not be putting anyone out.
332

333 **Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2020-11
334 AMENDING THE MUNICIPAL CODE SECTION 10.04.040 - UNLAWFUL PARKING, AS
335 PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL
336 WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE,
337 JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.
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340 **9.**  **CLOSED SESSION**

341 Mayor Fullmer called for a motion to go into a closed session.
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344 **Motion:** COUNCILMEMBER JUDD MOVED TO GO INTO A CLOSED SESSION FOR THE
345 PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR
346 PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. COUNCILMEMBER WELSH
347 SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER,
348 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE
349 MOTION CARRIED UNANIMOUSLY.

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352 **10.  ADJOURNMENT**

353 Mayor Fullmer called for a motion to adjourn the meeting.

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355 **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:04 PM.
356 COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER,
357 COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND WELSH VOTED AYE. THE
358 MOTION CARRIED UNANIMOUSLY.

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361 The next regularly scheduled meeting is September 9, 2020.

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364 MINUTES APPROVED ON: _____

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366 CERTIFIED CORRECT BY: /s/ Pamela Spencer

367 PAMELA SPENCER, CITY RECORDER

DRAFT

**VINEYARD
ORDINANCE 2020-12**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL AMENDING CITY
MANAGER CODE SECTION 2.08.020 POWERS AND DUTIES; OBLIGATIONS**

WHEREAS, the Vineyard City Council under the authority of Utah Code 10-3b-403 created the city manager position and provided for the powers and duties of that position.

WHEREAS, the City Council now desires to amend the city managers powers and duties.

NOW THEREFORE, be it ordained by the City Council of Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “2.08.020 Powers; Duties; Obligations” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

2.08.020 Powers; Duties; Obligations

- A. City Manager Duties: Pursuant to the policies and programs established by the governing body, and under the direction and oversight of the governing body and except as otherwise set forth by the governing body in ordinance, resolution, motion, or this code, the city manager shall:
1. Be responsible for managing the internal affairs of the city; develop, recommend and implement city policies, practices, rules, regulations and procedures; report to the governing body; advise the governing body regarding policy options and implementation procedures; carry out legislative directives and decisions; be responsible for contracts administration.
 2. Establish and maintain effective working relationships with the governing body, the city attorney, management employees, citizen committees, special interest groups, employees, press, contractors, public vendors and representatives from other city, county, special district, state and federal agencies; issue public statements to the press and respond to questions from the press related to city management, policies, procedures and administrative decisions and is consistent with the majority opinion or direction of the governing body.
 3. Consistent with the direction of the governing body, be responsible for the full and effective use of city personnel by establishing, in consultation with the city attorney, department directors, division heads or other management employees, overall department objectives, priorities and standards consistent with the goals, direction, and objectives of the governing body; serve as a facilitator in the achievement by city divisions of governing body goals and in coordinating with

management employees for effective implementation of city service levels, ordinances, resolutions, rules, regulations and directives; exercise managerial control to ensure that the city government and its respective departments function in the most efficient and effective manner.

4. Be the budget officer of the City and finance director of the City under the uniform fiscal procedures act for Utah Cities; plan, organize and supervise city financial operations and keep the governing body at all times advised as to the financial condition and needs of the city; prepare and deliver financial reports to the governing body as needed; supervise the preparation and administration of the city budget under the direction of the governing body; ensure that all executive procedures and activities are in compliance with the uniform fiscal procedures act for Utah cities and Utah money management act as passed and amended by the state legislature.
5. Represent the city at various meetings or other functions and respond to requests or inquiries about city policies, rules, ordinances, regulations, resolutions or services rendered by the city government.
6. Enforce all applicable laws, ordinances, rules, regulations, and policies of the city. Assure that all franchises, leases, permits, licenses, contracts and privileges granted by the city are fully performed and observed.
7. Recommend and prepare for consideration by the governing body and advisory committees long range strategic plans and programs to provide for the health, safety, and welfare of the current and future inhabitants of the city; furnish reports to the governing body as requested.
8. Except as otherwise provided, be responsible for the overall personnel management function; implement city personnel ordinances, rules, and regulations that have been adopted, approved, or revised by the governing body; coordinate personnel ordinances and rules and regulations adopted by the governing body; coordinate personnel functions with management employees such as recruitment, selection, and appointment; have authority to appoint and remove any employees of the city, except the city recorder, the city treasurer, and the city attorney who shall be appointed, removed, or terminated by majority vote of the governing body, serve as a step in the appeals process available to employees with grievances; monitor personnel actions, promotion, discipline, demotion, separation and reclassification; coordinate personnel decisions with department directors; coordinate activities of individuals rendering professional services under contract with the city.
 - a. The hiring process for department director will include panel interviews with City Council and the final hiring decision will be ratified by the City Council.
9. Investigate into the affairs of the city and any department or division thereof, and any contract for the proper performance of any obligations of the city.
10. Create all necessary departments as approved by the governing body. Create all necessary divisions, sections, and offices necessary for the government of the city; prepare recommendations for the governing body regarding the addition,

deletion or reduction in municipal services.

11. Attend and participate in all meetings of the governing body unless otherwise excluded by the governing body in an executive session meeting, but shall not have a right to vote in said meetings.
 12. Approve and sign commercial and residential subdivision plats on behalf of the city.
 13. Perform all other duties, obligations, and exercise the powers set forth by ordinance, resolution, regulation, or directive imposed by the governing body.
 14. ~~Notify the governing body forty eight (48) hours prior to the effective date~~Hold a closed session with City Council prior to ~~of any permanent~~ termination of any city department director. Nothing herein shall limit the city manager's ability to institute temporary employee suspensions or temporary administrative leave of city employees.
- B. Department Cooperation: It shall be the duty of all subordinate employees to cooperate with the city manager in administering the affairs of the city efficiently, economically and harmoniously.
- C. Planning and Land Use: Notwithstanding the foregoing, the city manager shall exercise no authority over the planning commission or an appeal and variance hearing board or officer.
- D. Performance Evaluation: The governing body shall evaluate, at least annually, the performance of the city manager.
- E. Powers of The Mayor Not Delegated: Nothing in this chapter shall be construed to delegate to the city manager the legislative and judicial powers of the mayor, the mayor's position as chief executive officer of the city pursuant to Utah code section 10-3b-104(1)(a), chairperson of the governing body, or any ex officio position which the mayor shall hold.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
John Earnest	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Chris Judd	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder
Vineyard