



**MINUTES OF A VINEYARD
CITY COUNCIL MEETING**

This meeting was held electronically, via Zoom,
due to the COVID-19 gathering restrictions
January 27, 2021 at 6:00 PM

Present

Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Cristy Welsh

Absent

Mayor Julie Fullmer

Staff Present: City Manager Jacob McHargue, Assistant Finance Director/Treasurer Mariah Hill, Assistant Public Works Director Chris Wilson, City Attorney Jayme Blakesley, Community Development Director Morgan Brim, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Building Official George Reid, Water Manager Sullivan Love, City Recorder Pamela Spencer, Deputy Recorder Kelly Kloepfer, Youth Council Mayor Janelle Dadson, Youth Council Advisor and Planning Commissioner Jessica Welch, Planning Commissioners Anthony Jenkins and Planning Commission Chair Bryce Brady

Others Speaking: Resident Tyler Reese and Truman Van Cott; James Gilbert with Gilbert and Stewart, Certified Public Accountants, Reece DeMille with Republic Services

6:00 PM REGULAR SESSION

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

City Recorder Pamela Spencer opened the meeting at 6:01 PM. Due to Mayor Fullmer's absence, she called for a nomination to appoint a mayor pro tempore.

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

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

2. WRITTEN DETERMINATION

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

3. PUBLIC COMMENTS

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

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Welsh reported on the legislative bills that concerned the city: HB61, HB82, and HB98. HB61 would allow any sign in the city to be lit. She felt that the state should not be modifying codes in the cities and that the closer the government was to the people, the better. Mayor Pro Tempore Flake said that all three of these bills would be a direct reproach to the council managing the city.

Councilmember Welsh reported that there was a bill in the state legislature that would allow cities to participate in a mobile voting pilot program. Mr. McHargue stated that he would have Ms. Spencer prepare a report for the next city council meeting.

Councilmember Judd reported that he had spoken with Jacob Holdaway about the Walkara Way project, who mentioned that they were receiving additional funding from the state. He said they had fencing up and would be getting cattle to help remove the phragmites along the shoreline. Mr. Brim mentioned that they would be tracking the impact the cattle would have on invasive plant species.

Councilmember Judd recommended that local businesses apply for federal loans for COVID relief.

Councilmember Earnest reported on the latest with the COVID-19 vaccine. He said that the state had administered about a quarter of a million vaccines, and the second vaccine should be given to people soon. Mayor Pro Tempore Flake recommended that everyone get the vaccine. Councilmember Welsh asked about the variant of the virus. Councilmember Earnest replied that he had not heard of anything stating that the pandemic would worsen with the variants; it would only extend the pandemic. Mr. McHargue mentioned that the health department would be doing their weekly calls with the mayors starting next week.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 City Manager Jacob McHargue

Mr. McHargue reported that he met with Orem City and Central Utah Water on the water tank project. He explained that Vineyard had three years from now to build a fire station. He said that Orem City was building a new recreation center and wanted to provide Vineyard residents a one-time 20 percent discount on an annual pass. The pass must be purchased between now and opening day in early March. Assistant Finance Director/Treasurer Mariah Hill asked if Vineyard would still reimburse the \$80 per year. Mr. McHargue replied yes. He said that Orem City was considering allowing Vineyard residents to have their resident rate.

Councilmember Earnest asked if the city tracked the library or recreation center reimbursements. McHargue replied that he would check with Orem to find out the number of residents who purchased library cards and recreation center passes.

McHargue reported on the Facebook live "ask us anything" event, which was held earlier today.

Mr. McHargue then discussed the current Utah Legislative session. He said that there were three questions that the Utah League of Cities and Towns (ULCT) asked when they were examining current bills.

- Does the bill respect the traditional role of local government, is the bill a one-size-fits-all approach?
- Does it respect that every city is unique?
- Will the bill result in an unfunded or unworkable mandate on cities?

He suggested that the council use these questions when evaluating the bills.

Mr. McHargue mentioned that he had purchased the ULCT Powers and Duties books for the mayor and councilmembers.

5.2 Youth Council Mayor Janelle Dadson – Quarterly Report

Youth Council Mayor Janelle Dadson reported on the Youth Council’s work on the children’s library project at the old Town Hall at 240 East Gammon Road.

Mayor Pro Tempore Flake commended the Youth Council for their hard work.

6. CONSENT ITEMS

[6.1 Approval of the January 13, 2021 City Council Meeting Minutes](#)

[6.2 Approval of Executech for IT Services](#)

[6.3 Approval of the Municipal Wastewater Planning Program Annual Report](#)

Mayor Pro Tempore Flake called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE CONSENT ITEMS 6.1 THROUGH 6.3. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

7. MAYOR’S APPOINTMENTS

No names were submitted.

8. DISCUSSION/PRESENTATIONS

8.1 Parking Policy

Staff will discuss parking policies.

Mayor Pro Tempore Flake turned the time over to City Manager Jacob McHargue, who turned the time over to City Attorney Jayme Blakesley.

Mr. Blakesley gave a background on the need to enforce overnight residential parking in specific neighborhoods and suggested a potential parking solution for impacted neighborhoods. He presented the Herriman City model, which was through a permitting system with tickets being issued to violators. Each neighborhood would have to apply for the program by gathering at least 51 percent of the homeowners’ signatures and submitting them along with an application to the

city for approval. Once approved, each homeowner could apply for two residential and one guest overnight street parking permits annually. He said that there could be permits for special events. There was a discussion about opting in and out of the program. Mr. Blakesley said that in Herriman's model, neighborhoods could opt into the program, but only the council could eliminate the program. He reminded the council that they could adjust Herriman's model to fit Vineyard's needs.

Councilmember Earnest asked if this program would help areas that did not have enough parking or redefine already-limited parking. Mr. McHargue replied that it would be limiting parking.

There was a discussion about limiting overnight parking and how the permit system would work.

Councilmember Welsh asked if this program could be used in the downtown area. Mr. McHargue replied that the downtown area would have different parking regulations.

Councilmember Judd said that he liked each neighborhood having the ability to decide. He felt that this was not a blanket solution.

There was a discussion about the annual cost of the permits. Mr. McHargue explained that they wanted the program to be somewhat revenue neutral. He felt that \$50 was a reasonable amount for an annual pass.

The discussion about the permit program continued. Councilmember Welsh felt that they were trying to find a balance with the parking issue.

Councilmember Earnest asked if there was a precedent for commercial businesses to share parking with homeowners. Mr. Blakesley replied that there were programs in cities in other states. Mr. McHargue said that businesses on the Orem side of Geneva Road were renting parking spaces to residents in the townhomes and the apartments. There was a discussion about Vineyard businesses renting out their parking spaces to residents.

Councilmember Judd asked how it would affect the city's current parking regulations. Mr. Blakesley replied that they would have to craft the program so that it did not affect the city code.

Councilmember Welsh asked how the permit program would be enforced. Mr. McHargue replied that it would be done through a code enforcement program. Sergeant Rockwell felt that signage would be a crucial part of enforcement. There was a discussion about code enforcement. Sergeant Rockwell said that his department would not be able to monitor the permits every night. He suggested that they have permit parking signs. Councilmember Welsh stated that she was not in favor of a program that sounded good on paper but could not be enforced. Community Development Director Morgan Brim said that one part of enforcement would be more aggressive enforcement of occupancy. He emphasized that after the first couple of months of enforcement, occupancy numbers would start to drop, and the issue usually corrected itself.

Councilmember Welsh felt that it would behoove the city to have an enforcement plan to include with the parking program before being brought to council for a vote. Councilmember Judd felt that they needed more information on how enforcement would happen.

Resident Tyler Reese, living in the Providence subdivision, felt that \$50 was a bit high. He asked about the difference between the guest parking pass and the regular pass. He said that there were

homes in his neighborhood with more than two cars parked on the street each night. He felt that having to gather 75 percent of the owners' signatures was too high. He expressed concern that the situation would get ugly and that street parking was a problem and was not getting better. Councilmember Judd said that from personal experience doing the hard work to get people on the same page brought the neighborhood together, and that was why he liked the 75 percent. He suggested that after the first year, the city could examine the costs and potentially reduce the permit price, but the city would never cover the cost to run the program. Mr. Reese felt that most people would refuse to sign the petition because they could occasionally have guests who needed to park on the street overnight.

There was a discussion about the permits and who would get them. Mr. Blakesley explained that Herriman had a maximum number of three passes per household. Park City's policy had a maximum of five cars per household, but that was because a lot of the homes did not have garages or driveways. He explained that Park City subtracted the number of on-site spots, so if they had four on-site parking spots, they only qualified for one on-street pass. Mr. Reese said that this permit program was primarily to keep non-residents of that neighborhood using the parking. Building Official George Reid recommended that Vineyard not use Park City's program because of his experience and what he had observed while working for Park City. The discussion continued.

Mayor Pro Tempore Flake concluded the discussion and strongly urged all residents to contact staff or councilmembers with their input. Councilmember Welsh clarified that this program was for overnight parking only.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Fiscal Year 2019-2020 Audit Report

James Gilbert with Gilbert and Stewart, Certified Public Accountants will present the annual financial audit report for fiscal year 2019-2020 for consideration and acceptance by the Council. The mayor and city council will take appropriate action.

Mayor Pro Tempore Flake turned the time over to City Manager Jacob McHargue, who turned the time over to James Gilbert with Gilbert and Stewart, Certified Public Accountants.

Mr. Gilbert presented the annual financial audit report. He said that his report included an unmodified opinion, which was the highest opinion the city could receive. He explained the methodology for compiling the audit report. This report included figures from both the city and the Redevelopment Agency (RDA). He said that there was one finding because the city had not completed the self-risk assessment report before year-end. He recommended that it be done as soon as possible.

Motion: COUNCILMEMBER EARNEST MOVED TO ACCEPT THE FISCAL YEAR 2019-2020 AUDIT REPORT. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.2 DISCUSSION AND ACTION – Approval of the Republic Services Contract Extension

City Manager Jacob McHargue will present the contract extension for republic services. The mayor and city council will take appropriate action.

Mayor Pro Tempore Flake turned the time over to City Manager Jacob McHargue.

Mr. McHargue introduced Reece DeMille with Republic Services.

Mr. DeMille explained that because the city was growing, they could now separate the city's waste from others, and the city could pay for their tipping fees at a discounted rate. He said that he was proposing signing a five-year contract extension with new pricing, saving the city money. The cost to the city for Republic Services would decrease after January 1, 2022. Mr. McHargue explained how the original agreement worked and how the new contract would work. He explained that because the city was part of the North Pointe Solid Waste District, they could get a discounted rate. He said that the cost savings would be \$14,213 in 2020 and \$51,404 in 2022.

Councilmember Earnest asked if staff had shopped for a better price. McHargue replied that they had not submitted a request for proposal (RFP) but had looked at other cities' rates, and he felt that this contract was in line with them. Mr. DeMille mentioned that Highland put the contract out for bid and just signed Waste Management, whose rates were higher than theirs. He added that Vineyard's garbage and recycling would both be picked up on Wednesdays starting February 15th, with recycling still every other week. All residents affected would receive a postcard from Republic Services.

Motion: COUNCILMEMBER WELSH MOVED TO APPROVE THE CONTRACT EXTENSION WITH REPUBLIC SERVICES AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACT. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.3 PUBLIC HEARING – Amendments to the FY 2020-2021 Budget RES 2021-02

City Manager Jacob McHargue will present recommended amendments to the Fiscal Year 2020-2021 Budget. The mayor and City Council will act to adopt (or deny) this request by resolution.

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

Motion: COUNCILMEMBER WELSH MOVED TO OPEN THE PUBLIC HEARING AT 7:38 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mr. McHargue presented the Budget Amendments by reviewing each of the funds: General Fund, Water Fund, Sewer Fund, Storm Water Fund, Transportation Fund, Capital Projects, and Internal Services. There were discussions about the different funds.

Mr. McHargue mentioned that Penny Springs Park's grand opening would be this spring, with Sunset Beach Park not far behind. He noted that they would be replacing the playground equipment at Gammon Park.

Councilmember Judd asked if there were additional funds available for the fire station. Mr. McHargue replied that the station's construction would come from the Capital Projects Fund.

Mayor Pro Tempore Flake called for public comments. Hearing none, he called for a motion to close the public hearing.

Motion: COUNCILMEMBER WELSH MOVED TO CLOSE THE PUBLIC HEARING AT 7:57 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Flake called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT RESOLUTION 2021-02 AMENDING THE VINEYARD CITY BUDGET FOR 2020-2021 FISCAL YEAR. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS A FOLLOWS: MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

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

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:58 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR PRO TEMPORE FLAKE, COUNCILMEMBERS EARNEST, JUDD, AND WELSH VOTED AYE. THE MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is February 10, 2021.

MINUTES APPROVED ON: February 10, 2021

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