

**MINUTES OF A REGULAR  
VINEYARD CITY COUNCIL MEETING**  
City Hall, 125 South Main Street, Vineyard, Utah  
March 13, 2019 at 6:04 PM

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**Present**

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

**Absent**

Councilmember John Earnest

**Staff Present:** City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, Building Official George Reid, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, Water/Parks Manager Sullivan Love, Records Management Assistant Kelly Kloepper

**Others Speaking:** President of the Universal Society of Hinduism Rajan Zed, Resident Wayne Holdaway, Clean Air Task Force member Josh Gilman, Pete Evans with Flagship Homes

**6:04 PM**                      **REGULAR SESSION**

Mayor Fullmer opened the session at 6:04 PM. Rajan Zed, President, Universal Society of Hinduism, gave the invocation, and Councilmember Flake led the Pledge of Allegiance.

**OPEN SESSION** – Citizens' Comments

Mayor Fullmer opened the public session.

Pete Evans with Flagship Homes reported that this week Flagship had acquired all of the property from Anderson Geneva and its associated entities. He stated that Flagship Homes was looking forward to working with the city council and staff on the remaining parcels on the Geneva site to develop it to its potential for the community. He offered to answer any questions.

Mr. Church asked about the Eastlake at Geneva industrial subdivision in north Vineyard. Mr. Evans replied that yes, Flagship acquired whatever interest Anderson Geneva still had there. Councilmember Riley asked if it included all reimbursement funds. Mr. Evans responded with a qualified yes, and further explained that in the purchase agreement, there were some previous reimbursement requests and Anderson Geneva retained the right to continue to seek those reimbursement requests. Other than those, all approved RDA reimbursements would go to Flagship Homes. Mr. McHargue sought clarification on existing reimbursement agreements such as those with Utah Valley University (UVU) and the Megaplex. Mr. Evans confirmed that Flagship had acquired all approved reimbursement agreements.

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

Councilmember Flake gave an update on the current session of the Utah State Legislature. One bill he highlighted was House Bill 228 Towing Revisions, which was before legislature this evening. Mayor Fullmer explained that this bill took the authority to regulate towing away from the city and gave it to the state. She said that she had written to urge them to keep the authority with the cities, and that others had also been working on this, such as Mayor Kaufusi of Provo and the Utah League of Cities and Towns. The discussion continued. Mayor Fullmer also mentioned Senate Bill 268 Transportation Infrastructure Bond Amendments and how that might affect the city.

## **STAFF, COMMISSION, AND COMMITTEE REPORTS**

City Manager/Finance Director – Jacob McHargue- Mr. McHargue reported that staff had been meeting with Orem City and Central Utah Project (CUP) about the water tank and that he would update the council as that continued to progress. He also reported that the city had a meeting scheduled with Alpine School District regarding a potential site for a school.

Public Works Director/Engineer – Don Overson – Mr. Overson had no new items to report.

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

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

Community Development Director – Morgan Brim – Mr. Brim had no new items to report.

City Recorder – Pamela Spencer – Ms. Spencer was excused.

Building Official – George Reid – Mr. Reid had no new items to report.

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

Clean Air Task Force – Resident Josh Gilman – Committee Member – Mr. Gilman reported on the recent meeting of the Utah Chamber of Commerce Clean Air Task Force, where they discussed the Utah Transit Authority's (UTA) UVX line, which ran between UVU and BYU. Monthly riders had doubled in the past six months, and the Task Force felt it was a good product that people were starting to use. He was in contact with the Heritage Commission about a booth to raise awareness about air quality at the upcoming Vineyard Heritage Celebration. He then addressed the state's Commercial Property Assessed Clean Energy (C-PACE) program. Councilmember Flake asked where the closest air quality monitor was located, and what were the options for funding to get an air quality monitor in the city. Mr. Gilman replied that he would find out and report back to the council.

## **DISCUSSION ITEMS**

No items were submitted.

## CONSENT ITEMS

6.1 Approval of the February 27, 2019 City Council Meeting Minutes

6.2 Approval of the cost for the Public Works property improvements – water and sewer

Mayor Fullmer called for a motion to approve the consent items.

**Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE CONSENT ITEMS 6.1 AND 6.2. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

## MAYOR'S PROCLAMATION

7.1 The Mayor will proclaim April 26, 2019 as Arbor Day.

Mayor Fullmer proclaimed April 26, 2019 as Arbor Day in Vineyard, and urged all citizens to plant trees to gladden the heart and promote the well-being of this and future generations. She added that the city would be having an Arbor Day celebration and had obtained a grant to plant trees, which would be done during the Spring Cleanup event.

**Motion:** COUNCILMEMBER JUDD MOVED TO SUPPORT THE MAYOR'S PROCLAMATION. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

## BUSINESS ITEMS

### 8.1 DISCUSSION AND ACTION – 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 27, 2019 City Council Meeting, where a public hearing was held.)*

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

Mr. Brim explained that at the public hearing at the February 27, 2019 City Council Meeting, there were three changes suggested by the City Council that staff had then added to the Amendment. He gave a brief summary of the changes.

Councilmember Judd asked what the feedback was from the owner of the site. Mr. Brim said that they had not responded but that the driving range was about 500 feet from residential zones.

**Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2019-01. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

## **8.2 DISCUSSION AND ACTION – Adopting Rules of Procedure – Resolution 2019-03**

As per Utah Code 10 -3-606 (2)(a), a municipal legislative body shall adopt rules of order and procedure. City Attorney David Church will present recommended rules of procedure for public meetings. The City Council will possibly act to adopt by resolution, the rules of procedure for conducting a public meeting of the legislative body.

Mayor Fullmer turned the time over to David Church.

Mr. Church explained that City Recorder Pamela Spencer had not been able to find Vineyard's officially adopted rules of parliamentary procedure. State law required that city councils adopt rules of procedure and conduct and have a copy of it available for public review. He gave a brief summary of the Rules of Procedure and Order that would govern the meetings of the Vineyard City Council. He added that the rules may be changed or modified in the future to become more or less formal, by resolution. The discussion continued.

Mayor Fullmer called for a motion.

**Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT THE RULES OF PROCEDURE RESOLUTION 2019-03. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

## **8.3 DISCUSSION AND ACTION – Comcast Franchise Agreement Ordinance 2019-03**

Staff will present a Franchise Agreement between the City of Vineyard and Comcast of California/Massachusetts/Michigan/Utah, LLC. The mayor and City Council will act to approve (or deny) this agreement by Ordinance.

Mr. McHargue explained that this agreement had expired and they were simply renewing it. Mr. Church explained a franchise agreement was defined as a right that a city gave to private businesses to use public property for their business purposes.

Councilmember Riley asked about exclusivity. Mr. Church confirmed that franchise agreements could not be exclusive.

Mayor Fullmer called for a motion.

**Motion:** COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2019-03. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

## **CLOSED SESSION**

No closed session was held.

## **ADJOURNMENT**

Mayor Fullmer called for a motion to adjourn the meeting.

**Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 6:30 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, JUDD, AND RILEY VOTED AYE. COUNCILMEMBER EARNEST WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

MINUTES APPROVED ON: April 10, 2019

CERTIFIED CORRECT BY: /s/ Kelly Kloepfer  
KELLY KLOEPFER, RECORDS MANAGEMENT ASSISTANT