

MINUTES OF THE VINEYARD
CITY COUNCIL MEETING
125 South Main Street, Vineyard, Utah
October 10, 2018 at 6:00 PM

Present

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

Absent

Councilmember Nate Riley

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Planning Commission Chair Cristy Welsh, City Recorder Pamela Spencer, Water/Parks Manager Sullivan Love

Others Speaking: Residents David Lauret and Josh Lynn, Mike Hutchings and Jeff Walker with Anderson Geneva

6:00 PM REGULAR SESSION

Mayor Fullmer opened the meeting at 6:02 PM. Councilmember Flake gave the Pledge of Allegiance and invocation.

OPEN SESSION – Citizens' Comments

Resident David Lauret living on Holdaway Road thanked the council for their efforts and asked them for an update on the parking issues previously discussed. Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that the city had been told by developers that there would not be a lot of students living in Vineyard but with the proximity of UVU and BYU there were a lot of students living in the area. He said that staff had been working with developers on their parking issues and that some had found ways to add additional stalls. He felt that the property owners needed to be more responsible and not rent their unit to too many people. He mentioned that the city was working on the FrontRunner station and a bus line.

Councilmember Judd asked if it was time to update the parking code. Mr. Brim replied that the parking code had been updated in response to issues with the Edgewater Townhomes development. He felt that most of the land was now entitled, but they could reexamine the code and work with the developers.

Mr. McHargue mentioned that staff was working on the parking code to regulate the on-street parking for when there was snow on the ground.

Mayor Fullmer stated that once they established how the additional stalls would work in the developments, they should start to see the parking issues corrected. She added that they had corrected the parking issues in Grove Park.

Mr. Lauret stated that there was still bare land that was not under an agreement and felt that the city should revisit the parking code with an understanding that the legal limit was four individuals living in a unit at a time. He suggested that they consider requiring four parking stalls per unit. He said that most garages were considered parking stalls, but they were not being used for parking.

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

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake reported that he had attended the Utah Lake Commission meeting. He said that the commission would be creating a central point for submitting all proposals. He mentioned that there were 20 proposals and that the commission needed to process them in an even way, which would take a number of years. He reported that the commission had treated 43,000 acres for invasive plants this fiscal year and would restart in April, which would include a new machine to chop up the phragmites. He said that they were expanding the membership to include two more towns and a couple of state entities. The commission was also working with the cities of Orem and Vineyard to get their portions of the lake trail built soon. He reported that the carp treatment had been completed and that the commission was looking for money to fund a maintenance program to keep the carp population low.

Councilmember Earnest reported on the Orem Hospital Outreach Board. He mentioned that October was Breast Cancer Awareness Month. He reported that Intermountain Healthcare was consolidating information to make it readily available. He said that he had suggested that they share information with other networks beyond IHC and SelectHealth.

Councilmember Judd reported that the federal government had raised interest rates again and were anticipating one more increase this year and three more next year. He said that this would slow down real estate sales. He suggested that people put funds away while the economy is good.

STAFF AND COMMISSION REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue explained that the revenues were low, but taxes come in once a year so it was not a concern. He said that the facilities and contracted services expenses were high because of one-time expenditures. Water expenses were high because of the Orem contract. He said that he needed to look at the stormwater percentages.

Councilmember Judd asked if the city had had feedback from residents on the water rate changes. Mr. McHargue replied that there had been a lot of feedback from residents. He said that he had created a spreadsheet for each subdivision that evaluated the water usage in each subdivision. There was a discussion about the evaluation of water usage. Mayor Fullmer mentioned that the city would be providing classes to residents about how to efficiently use their water. She said that they would be sending out this information on social media. Mr. McHargue mentioned that there were entities in Utah County that provide water usage training to the public. The discussion about water usage continued.

Mr. McHargue mentioned the City’s Boo-A-Palooza event on October 29. He said that there would be a Blizzard 5K event on November 17 and people could sign up now. He reported that staff was holding meetings on the water tank in order to meet the completion date of 2021. He explained that they were negotiating tank locations and sizes and making sure they were meeting all of the requirements. He reported that there had been a lot of interest in the property located in the redevelopment area.

Mr. McHargue mentioned that City Recorder Pamela Spencer had received the Recorder of the Year award from the Utah Municipal Clerks Association. He read the nomination letter that he had submitted to the UMCA board.

Public Works Director/Engineer – Don Overson – Mr. Overson reported that staff was in the process of preparing the city for wintertime. He mentioned that they were purchasing a new vac truck, which should be delivered on Monday. He said that they would be putting notices on social media about snow removal and moving cars off of the roads. He mentioned how much he appreciated the public works staff and all of their hard work. He noted that Vineyard had more residents than Lindon but had a third of the staff to do the same amount of work. He complimented the staff and their efforts to keep the city looking nice.

Mayor Fullmer asked about the placement of trash bins in Grove Park. Mr. Love explained that the containers that were built for trash and recycling were too small for pavilion users. He said that they placed the larger cans near the pavilions to increase the trash capacity. Councilmember Judd suggested that they add more trash cans closer to the playground. Mayor Fullmer asked about using the “Just Serve” site for a volunteer ranger. Mr. Overson explained that they had put out a job announcement for part-time help and hoped to get someone for next year. Mr. Love suggested that they have a volunteer coordinator on staff.

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

Utah County Sheriff’s Office – Sergeant Holden Rockwell – Sergeant Rockwell gave the departments quarterly report. Highlights were:

Year 2017	Total Calls	Officer-Generated Calls	Public-Generated Calls	Case Numbers	Arrests	Traffic Stops	Citations
2 nd Qtr.	1771	856	915	319	32	549	145
3 rd Qtr.	1939	877	1062	360	29	553	200

Response Time Qtr. 2:

Priority 1-2 response time 5:35
 Priority 1-2 number of calls 235

Response Time Qtr. 2:

Priority 1-2 response time 4:47
 Priority 1-2 number of calls 271

Nature of Incidents Qtr. 3:

Burglary/Theft	13
Assault/Domestic Violence	28
Drugs/Alcohol	28

Nature of Incidents Qtr. 3:

Burglary/Theft	23
Assault/Domestic Violence	20
Drugs/Alcohol	18

Sergeant Rockwell explained that some of the citations were parking issues and some were warnings. He pointed out that the response times were below 5 minutes with an increase of priority 1 and 2 calls. He mentioned that there were a lot of package and construction thefts.

Community Development Director – Morgan Brim & Planning Commission Chair – Cristy Welsh – Mr. Brim explained that they were going to consolidate the Planning Commission meetings. He reported that the Maverik has submitted a site plan to consolidate their truck entrance with the Alloy Apartments and add an additional 30 parking stalls for the Alloy. He reported that they were working on several code amendments and would be holding work sessions with the Planning Commission. He reported that the planning technician had quit and that they had hired a replacement who would be doing code enforcement, planning, and economic development.

Mr. Brim reported that for the General Plan update they had over 400 public online responses and 237 responses to the questions from the boards at the open house. He mentioned that they were reaching out to the small and large businesses for feedback. He reported that staff was working with The Vineyard Shores development site plan to ensure that they meet every code. He reported that staff had received a large lot subdivision application for the 130-acre retail parcel. He explained that Anderson Geneva would like to break up the large parcel into smaller pieces. He said the city had submitted for an Economic Development Request for Information (RFI) for Project Hemlock, which was a technology company with over 1,000 employees to be located on the Forge Property. He added that Mayor Fullmer had been working with a large manufacturing facility that would also fit into The Forge development.

City Recorder – Pamela Spencer – Ms. Spencer reported that residents had until October 30 to register to vote online or at the county offices. She added that ballots would be going out next week and to contact the county if they did not receive one.

Building Official – George Reid – Mr. Reid reported they had hired an inspector in training. He said that staff was issuing permits and that staff was getting ready for the winter.

Water/Parks Manager Sullivan Love – Mr. Love stated that the staff working for him were dedicated and hard working. He reported that in July there were 52 million gallons of water used throughout the city and in August it decreased to 47 million gallons of water. He noted that the decrease occurred, even with new residents moving in. He added that September had another decrease of 5 million gallons of usage. He felt that it was tied to the increase in water rates and residents looking at their water usage. He reported that they were still working on the park punch list items. He noted that he would have a presentation about the forestry and tree inventory at the next council meeting.

DISCUSSION ITEMS

No items were submitted.

CONSENT ITEMS

6.1 Approval of the September 26, 2018 City Council Meeting Minutes

6.2 UVHBA Condo Conversion Final Plat

6.3 Homesteads POD 4 Phase 3 Final Plat

Mayor Fullmer called for a motion.

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

MAYOR'S APPOINTMENTS

No names were submitted.

BUSINESS ITEMS

8.1 DISCUSSION AND ACTION – Qwest dba CenturyLink Franchise Agreement (Ordinance 2018-12)

Staff will present a Franchise Agreement between the city of Vineyard and Qwest Corporation dba CenturyLink QC. The Mayor and City Council will act to approve (or deny) this agreement by Ordinance.

Mr. Church explained that the city had the authority under state law to grant franchises to public utilities and private companies for the use of the city's rights-of-way and roads to provide utility-type services to the community. He further explained how the code and agreements worked.

Councilmember Judd asked about the new law that allowed small cell towers. Mr. Church replied that what Councilmember Judd was referring to was for the small cell sites and this was slightly different, for use underground.

Resident Josh Lynn representing Vineyard Young Professionals asked for clarification on non-exclusive franchise agreements. Mr. Church explained that the city could not create an exclusive agreement. He said that anyone who wanted to use the rights-of-way needed to have a franchise agreement or place their equipment on private property. Councilmember Judd asked if Mr. Lynn was asking if there had been some exclusive agreements. Mr. Church responded that there had been a few developers who had negotiated with telecommunications companies for use on their private property.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE QWEST DBA CENTURYLINK FRANCHISE AGREEMENT ORDINANCE 2018-12. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

8.2 DISCUSSION AND ACTION – MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services Franchise Agreement (Ordinance 2018-13)

Staff will present a Franchise Agreement between the city of Vineyard and MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services. The Mayor and City Council will act to approve (or deny) this agreement by Ordinance.

Motion: COUNCILMEMBER EARNEST MOVED TO APPROVE THE MCIMETRO ACCESS TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS TRANSMISSION SERVICES FRANCHISE AGREEMENT (ORDINANCE 2018-13). COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

8.3 DISCUSSION AND ACTION – Amend the Municipal Code adding towing and parking enforcement and towing business licensing regulations (Ordinance 2018-14)

Staff will present an amendment to the Municipal Code adding towing and parking enforcement and towing business licensing regulations. The Mayor and City Council will act to approve (or deny) this amendment by Ordinance.

Mayor Fullmer turned the time over to Sergeant Rockwell.

Sergeant Rockwell explained that the council had requested that the city adopt a towing ordinance similar to what Provo and Lehi had done. He said that he compared their ordinances and came up with the ordinance in front of them. He reviewed the ordinance. He said that the code protected the private property owner's rights to have vehicles towed from their property within the law. Councilmember Judd asked if the law required noticing and signage on private property. Sergeant Rockwell replied yes and explained that it had to be an abandoned vehicle of seven days on private property and 48 hours on a public street. Sergeant Rockwell continued explaining the ordinance. He noted that the ordinance did not cover someone who was parked illegally.

Ms. Spencer mentioned that in the licensing section it required the tow companies to obtain a certificate from the city and requested that they add a \$30 charge to the Consolidated Fee Schedule for the issuing of this certificate.

Mayor Fullmer asked if pictures should be taken by the tow companies. Sergeant Rockwell directed the council to section F3(d) where it required pictures to be taken.

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

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT THE AMENDMENT TO THE MUNICIPAL CODE ADDING TOWING AND PARKING ENFORCEMENT AND TOWING BUSINESS LICENSING REGULATIONS (ORDINANCE 2018-14). COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

CLOSED SESSION

No closed session was held.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn.

Motion: COUNCILMEMBER JUDD MOVED TO ADJOURN THE MEETING AT 7:08 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, AND JUDD VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is October 24, 2018.

MINUTES APPROVED ON: October 24, 2018

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